

ADDRESS: Old School Site, Woodberry Grove, London N4	
WARD: New River	REPORT AUTHOR: Ron Madell
APPLICATION NUMBER: 2009/0488	VALID DATE: 9.3.2009
DRAWING NUMBERS: as below	
Plan Nos	
T1-90E01 Rev.1	T1-D-20E01 Rev.2
T1-90P00 Rev.2	T1-D-20P00 Rev.2
T1-90P00MP Rev.1	T1-D-20P01 Rev.2
T1-90P03 Rev.2	T1-D-20P02 Rev.2
T1-90P-1 Rev.2	T1-D-20P03 Rev.2
T1-90P27 Rev.3	T1-D-20P04 Rev.2
T1-A-20E01 Rev.3	T1-D-20P05 Rev.2
T1-A-20E02 Rev.3	T1-E-20E01 Rev.2
T1-A-20P00 Rev.2	T1-E-20P00 Rev.2
T1-A-20P01 Rev.1	T1-E-20P01 Rev.2
T1-A-20P05 Rev.2	T1-E-20P02 Rev.2
T1-A-20P09 Rev.3	T1-E-20P03 Rev.2
T1-A-20P10 Rev.3	T1-E-20P04 Rev.2
T1-A-20P11 Rev.3	T1-E-20P05 Rev.2
T1-A-20P12 Rev.3	T1-E-20P06 Rev.2
T1-A-20P17 Rev.3	T1-E-21DE01Rev.1
T1-A-20P25 Rev.2	T1-E-21DE02Rev.1
T1-A-20P26 Rev.2	T1-E-21DE03Rev.1
T1-A-20P27 Rev.1	T1-F-20E01 Rev.2
T1-A-21DE01Rev.2	T1-F-20P00 Rev.4
T1-B-20E01 Rev.3	T1-F-20P01 Rev.4
T1-B-20P00 Rev.2	T1-F-20P02 Rev.4
T1-B-20P01 Rev.3	T1-F-20P03 Rev.4
T1-B-20P02 Rev.2	T1-F-20P04 Rev.4
T1-B-20P07 Rev.2	T1-F-20P05 Rev.3
T1-B-20P08 Rev.2	T1-G-20E01 Rev.4
T1-B-20P09 Rev.2	T1-G-20P00 Rev.4
T1-B-21DE01Rev.2	T1-G-20P00PCFRev.4
T1-C-20E01 Rev.2	T1-G-20P01 Rev.4
T1-C-20P00 Rev.2	T1-G-20P02 Rev.4
T1-C-20P01 Rev.2	T1-G-20P03 Rev.4
T1-C-20P05 Rev.2	T1-G-20P04 Rev.4
T1-C-20P06 Rev.2	T1-G-20P05 Rev.4
T1-C-20P07 Rev.2	T1-G-20P06 Rev.4
T1-C-20P08 Rev.2	T1-G-20P07 Rev.4
T1-C-21DE01Rev.1	T1-G-21DE01Rev.1
	D1398 L 003 Rev. E

D1398 L 101 Rev. J	
APPLICANT: Berkeley Homes (North East London) Ltd	AGENT: Rolfe Judd Planning Old Church Court Claylands Road London, SW8 1NZ
PROPOSAL: Modifications to planning permission reference 2007/1841 to provide a mixed use scheme comprising 490 residential units (Class C3), 730 sqm for a community hall and related facilities Class D1), 1240 sq m retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), round and basement car parking (169 spaces). The development comprises seven blocks of four to twenty seven storeys in height, a new access road running between Woodberry Grove and Towncourt Path, a re-aligned junction at Woodberry Grove/Woodberry Down, a new linear public open space and new Doorstep Playable Space.	
RECOMMENDATION SUMMARY:	

ANALYSIS INFORMATION

ZONING DESIGNINATION: (Yes) (No)

CPZ		x
Conservation Area		x
Listed Building (Statutory)		x
Listed Building (Local)		x
DEA		x

LAND USE DETAILS:	Use Class	Use Description	Floorspace sqm				
Existing	Vacant D2	Site of Secondary school	1095 (Site area)				
Proposed	A1, A2, A3, A4, B1, D1, D2 (Flexible)	Retail/ Services/Cafes/ Community Business/ Leisure	1,207.5				
	D1	Residential Community facility	684				
	C3	Dwelling Homes	32,715				
RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit					
Type		Studio	1	2	3	4	5
Existing	Not applicable	Not applicable					

Proposed		0	143	232	108	7	0
-----------------	--	---	-----	-----	-----	---	---

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	177	19	490

1.0 BACKGROUND AND PURPOSE OF APPLICATION

1.1 This report considers a full (ie detailed) planning application for the site known as Kick Start Site 1 (KSS1) or the 'Old School Site', the first site to be developed within Phase 1 of the comprehensive redevelopment of Woodberry Down.

1.2 The application proposes modifications to the previous planning application for the 'Old School Site' agreed by the Sub-Committee and following negotiations a Section 106 agreement planning permission granted in March 2009 (application reference 2007/1841). They are in summary:

- Alterations to the tenure and unit mix of KSS1 to provide an increase of 34 residential units
- Alteration to the ground floor retail units in Block C to residential use
- Provision of flexible use planning permission for Blocks A, B & D - ground floor uses to provide Class A1, A2, A3, A4, B1, D1, D2 uses;
- Modification of Block A to provide 2 additional floors to the tower element of the scheme and conversion of the first floor for residential use;
- Increase in footprint of southern end of Block G to accommodate the Priority Community Facility (PCF);
- Alteration to the proposed development phases on the site to accommodate the construction of social units prior to construction of the private units.
- Minor modifications to the permitted scheme
- Amendments to the Landscaping Strategy
- Revised Energy Strategy to match OPA Energy Strategy
- Modifications to the ES through provision of an addendum statement
- Modifications to the FRA through provision of an addendum statement
- Modifications to the TA through provision of an addendum statement

- 1.3 Woodberry Down has been the focus of regeneration proposals since 1999. An Area Action Plan was adopted by the Council providing guidance to the regeneration of the Woodberry Down in 2004. This was followed by an Urban Design Framework prepared by Hackney Homes in August 2005.
- 1.4 In order to facilitate the regeneration of Woodberry Down including KSS1, an Outline Planning Application (OPA) known as the Masterplan, was prepared by Hackney Homes, providing the parameters on tenure mix, unit mix, building heights, materials and the treatment of amenity spaces. The document was accompanied by an EIA and other documents supporting the Outline Application including a district wide Energy Strategy. The final version of the OPA was presented to the Planning Sub-Committee on 16th October 2008, when it was emphasised that the transformation of the estate into a sustainable community is a key objective of the Borough's regeneration strategy. The Committee resolved to grant the application subject to Mayor of London approval and the signing of a Section 106 Agreement.
- 1.5 Planning permission was originally granted for the first stage of the Woodberry Down Regeneration Scheme, known as Kick Start Site 1 (KSS1), on 12 March 2008 for redevelopment of the site to provide a mixed use scheme comprising 456 residential units (Class C3), 1128 sq m Priority Community Facility with associated retail (Class D1/A1), 904 sq m of flexible accommodation to include retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), ground and basement car parking (186 spaces). Development to comprise seven blocks of four to twenty five storeys in height, new access road and junction to Woodberry Grove, new public open space and new Local Area for Play (detailed application).
- 1.6 As part of the application, a Section 106 agreement was concluded with Berkeley Homes which included a wide range of Planning Obligations, mainly financial contributions, of which the following are the key items:
- Housing
 - Priority Community Facility
 - Transport
 - Sustainable Design and Development
 - Public Art

- Open Space and Landscape
- Section 278 Works
- Code for Sustainable Homes
- Provision of renewable energy – community heating networks

1.7 Since the conditional approval of the application (subject to the S106 agreement), further negotiations have occurred between LB Hackney and Berkeley Homes regarding the S106 terms to reflect the current housing market downturn but also where some infrastructure elements are now to be provided directly by Berkeley or funded from other sources:

- Educational, skills training, construction training and library contribution
- Affordable Housing Provision
- S278 Highway works
- Revisions to the tenure mix within Block E

1.8 Following these negotiations, amendments occurred to the Section 106 agreement with regard to the above items which were approved by Hackney's Planning Committee on 2nd July 2008 and 7th January 2009. Changes have occurred to the tenure mix within the scheme. The original tenure mix for the residential units as approved by Committee on 12th March 2008 is set out below in Table 1.1

1.9 Table 1.1

Unit S i z e	Private	Intermediate	Social Rented	Total	%
Studio	14	0	0	14	3
1 Bed	75	26	41	142	31
2 Bed	86	19	40	145	32
3 Bed	95	13	22	130	29
4 Bed	0	7	10	17	4
5 Bed	0	5	3	8	2
Total	270 (59%)	70 (16%)	116 (25%)	456	100

- 1.10 Since the submission of the original application for the site in 2007 and, more particularly, in the last 12 months, there has without doubt been a significant reduction in sales of new private housing. Given this economic situation, the Council and Berkeley Homes have reviewed the development of the 'Old School Site' and how it can be developed to ensure that it delivers a range of units and tenures which meets both the Council's objectives of bringing forward new homes for residents as part of the overall Woodberry Down regeneration; and is also a viable mixed tenure development. The solution has been to review the phasing for the build programme to bring forward Blocks F and G first, followed by a rolling programme of development of the other residential blocks to be reviewed following this. Blocks F & G are wholly social rented units and their early start on site will allow new homes to be delivered to existing residents promptly.
- 1.11 Changes to the unit sizes and tenure mix within the Blocks are proposed to meet the up to date requirements for social rented, intermediate and open market occupiers. In addition to the unit mix, revised tenure and phasing changes, Berkeley Homes has acquired 12 Towncourt Path and its demolition will allow for the opportunity to extend Block G further westwards, increasing the number of overall units that the scheme can provide. This has a further benefit in allowing for the relocation of the Priority Community Facility (PCF) from Block A to Block G, and as an integral part of that Block this will ensure that it will be constructed at the earliest stage of the development.
- 1.12 There are a number of other minor changes to the scheme which are discussed in Section 7.
- 1.13 These changes are considered to require a new planning application, and also an Addendum to Environmental Statement and Transport Assessment which analyses and deals with the effects of the revisions to the scheme.
- 1.14 The revised application comprises the following documents:
- Application forms & full set of plans, elevations & sections;
 - Schedule of accommodation (residential & commercial uses);
 - Design & Access Statement
 - Planning Statement;
 - Statement of Community Involvement (within Planning Statement)
 - Environmental Statement and Addendum
 - Flood Risk Assessment
 - Energy Strategy and Addendum

- Transport Assessment and Addendum

1.15 Work has started on the development as approved, and agreement of the Homes and Communities Agency (HCA) has been secured in principle by Berkeley Homes for gap funding of the 47 of the 75 shared equity dwellings now proposed. HCA funding in principle is also already being obtained for the 117 social housing units.

2.0 SITE DESCRIPTION

2.1 The Application Site (1.9ha) is located towards the southern edge of Woodberry Down estate, an 'L' shaped site fronting Woodberry Grove and running south to the edge of the New River. Facing the site to the east of Woodberry Grove is a long parade of shops and commercial units with two storeys of residential above, to be redeveloped in Phase 4 of the Masterplan. To the north west of the site is the Beis Chinuch Lebonos Girl's School, a privately owned girls' school, and to the west is Needwood House, an 8 storey residential block due for demolition in Phase 2.

2.2 The Old School site has been identified as one of the few areas of some ecological importance within the wider Woodberry Down Regeneration Area, due to the waste ground and mixture of scrub, semi-natural vegetation and tree groupings. The site does not lie within any statutory or locally designated ecological areas or Conservation Areas and does not contain any listed buildings although the Grade II Listed John Scott Health Centre is approximately 250m southwest of the application site and the Grade II Listed Reservoir Centre is approximately 350m southwest of the application site.

2.3 The site is currently vacant, with a mixture of scrub, semi-natural vegetation and tree groupings. One empty former school outbuilding remains in a roughly central position. Walls and panel fencing screen the site from public view, except from the New River/ West Reservoir defined by a chain link fence.

2.4 The site adjoins the open land alongside the New River (a designated Green Link) and beyond it the West Stoke Newington Reservoirs, a designated Conservation Area and with the status of Metropolitan Open Land (MOL) and metropolitan significance for nature conservation. These open areas are a key element in the site's setting,

calling for careful treatment of new development notwithstanding the generally medium-rise nature of the existing estate.

3.0 CONSERVATION IMPLICATIONS

- 3.1 The Application Site contains no listed buildings. Those within the Masterplan area comprise St Olave's Church (grade 2), the John Scott Health Centre (grade 2) and Woodberry Down Primary School (grade 2). Beyond the Woodberry Down area is the Metropolitan Water Works Engine House on Green Lanes (Grade 2*). Of these buildings, the Church of St Olave lies nearest, about 20 metres away although with a series of existing and proposed flat blocks of up to six storeys intervening along Woodberry Grove, there will be no immediate impact on its special character or setting. The high-rise tower of 27 storeys (but only 1.8m higher than approved already) is intended to be a prominent landmark at the centre of the renewed neighbourhood, but will not be seen in the same visual context as the church or the other listed buildings, with the new development further separating them from the tower.
- 3.2 The health centre and primary school buildings were listed late in 2006. This resulted in revision of the Masterplan and its accompanying Environmental Statement, whose conclusions that the regeneration scheme would not detract from the setting of any of the historic buildings in the area were supported by the officers and English Heritage.
- 3.3 The Stoke Newington Reservoir Filter Beds and New River Conservation Area adjoin the south-eastern edge of the application site: Woodberry Down Estate as a whole defines the northern boundary of the Conservation Area. The Kick Start Site 1 buildings will provide an urban backdrop to the north but with additional native tree planting along New River and the nearest wings of the new flat blocks set at least 20m metres back from the New River.
- 3.4 The site is partially within Metropolitan Open Land and the permitted scheme proposed no buildings within the designated land. This principle is retained with the revised application.

4.0 PLANNING HISTORY

Area Action Plan

4.1 In order to provide a planning framework for the regeneration of the Woodberry Down Estate an Area Action Plan (AAP) for Woodberry Down was prepared by the Council and adopted in August 2004 following extensive consultation with the local community between May and June 2004. The AAP established the parameters for regeneration and redevelopment principles and set out a vision to transform the area into a sustainable neighbourhood.

4.2 The key provisions of the AAP are:

- Public Open Space should cover not less than 10% of the Woodberry Down area
- Parking provision of 50% - one space for every two homes with good facilities for cycling, walking, encouraging the use of public transport (see section 8.8 for detailed discussion on current transport policy on car parking)
- There should be a mix of uses and tenures at Woodberry Down to make an exciting vibrant community
- There should be top quality buildings and urban design
- The redevelopment should be sustainable
- There should be adequate facilities to meet the needs of the community
- The community must continue to be involved in the redevelopment.

4.3 These provisions are then addressed in a range of core and general policies. A necessary initial output of the AAP was the need to draw up an urban design framework for the estate, building on the plan's key provisions. This was prepared during 2004 and adopted by Cabinet in January 2005. It sets out a vision and develops a design approach taking account of the following elements, and incorporating an urban design framework:

- Open space: reorganised, a hierarchy of private and public spaces serving each quarter, and utilising the potential of the reservoirs and New River
- Roads: reducing the width of Seven Sisters Road with additional crossings and junctions, with traffic calmed streets within the site that discourage rat-running and encourage cycling and walking
- Parking: provision partly under ground within a CPZ and with lower provision nearer Manor Park underground station
- Housing: responding to current need and mix
- Sites: identification of four sites (Old School Site, Woodberry Grove North, Woodberry Grove/Oakend/Parkfield House,

Newnton Close) suitable for early development, particularly for those living in unsound buildings

- Community facilities: identification of education, health, retail and other commercial uses

Outline Planning Application (OPA)

- 4.4 In order to deliver the aims and objectives of the AAP, the Council, through its ALMO Hackney Homes has prepared a Masterplan for regenerating Woodberry Down. The outline application for the Woodberry Down Masterplan was submitted to the Council in December 2006 and originally considered by the planning committee on 10th September 2007 where it was resolved to grant permission, subject to a Section 106 Legal Agreement (in the form of a unilateral undertaking by the Council) to ensure delivery of a comprehensive range of facilities and safeguards and also that development is in accordance with a comprehensive design code; safeguards which are needed for this major 20 year redevelopment programme to accord with Council and London Plan policies.
- 4.5 Further to this Committee, a revised application was resubmitted to LB Hackney in March 2008. The revised application was required to be altered due to the listing of the John Scott Health Centre and Woodberry Down Primary School which required amendments to the Masterplan and the Environmental Statement.
- 4.6 As a result of the listing and other factors, a number of changes occurred to the original Masterplan, these are described in summary:
- Retention of the existing primary school resulting in a small increase in the size of the proposed education campus. This was sought to be compensated by a small reduction in land for housing in the vicinity of the campus.
 - The City Academy to be constructed on land previously designated for housing. In order to ensure viability of the scheme the 'lost' housing, needs to be recovered elsewhere within the site and therefore has resulted in additional knock-on changes as described below.
 - The Business and Training Development Centre (BTDC), now located within the ground floor level of a new residential block and the adjoining residential block has also been enlarged. These blocks front the north side Seven Sisters Road, at the corner of Woodberry Grove.

- The building heights south of the listed school increased from previously 4 storeys (of the City Academy) to seven and nine storeys but reducing down to mainly 5 and 6-storeys high at the rear where the buildings will adjoin the listed school.
- The area around what was previously described as 'Woodberry Circus' was redesigned. This previously comprised three blocks centered on an area of open space fronting Seven Sisters Road. The blocks layout is now more consistent with the surrounding Masterplan, still centered on a sizeable new public open space and occupying a similar overall plot. The resulting layout has led to a higher degree of permeability within this part of the site.
- The alterations described above resulted in the need to relocate the north-south pedestrian and cycle routes through the site. These routes are now spread apart more evenly across the area north of Seven Sisters Road, leading to the two new bridges over New River connecting with Eade Road. The easterly footbridge is now to be located so that it connects more directly than proposed in 2007 with the employment area at the eastern end of Eade Road. This route will provide a clear axial route through the site from the East Reservoir.
- The proposed health centre as shown in the 2007 submission mid-way along the south side of Woodberry Down is now a formal part of the proposal, with residential on its upper floors.
- The existing John Scott Health Centre is remaining. It is also proposed to increase the potential height of the proposed replacement building on the site of St. Olave's Church Hall, so that the parameters range is now between 2 and 6 storeys.
- The height of the proposed tower within KSS1 increased from 21 storeys to 25 storeys.
- Overall, the changes to the scheme have resulted in a relatively small increase in the number of residential units proposed to 4,664 dwellings.

It was resolved by the Sub-Committee on 16th October 2008 to grant outline permission subject to completion of a suitable Sec 106 The revised Masterplan (application reference: 2008/1050). It Agreement, and subject to a direction by the Mayor of London. The Masterplan proposal is for the total regeneration of the estate and immediate vicinity as a comprehensive development, to provide:- 4,664 homes (including 41% affordable), with associated car parking at an overall site provision rate of 50%; approximately 38,500 m² of non-residential buildings and associated car parking, including 5,194 m² of retail buildings within classes A1-A5, 3,144 m² of class B1 Business use,

30,000 m2 of class C1, D1 and D2 use including education, health centre, children's centre, community centres, youth centre; provision of new civic space, public parks, open space, landscaping of the edges of the New River and the East and West Reservoirs, construction of bridges across the New River, reduce width of Seven Sisters Road from 6 to 4 lanes and related improvements to the public realm; formation of new access points to the new Woodberry Down Neighbourhood, the creation of new and improvement of existing cycle and pedestrian routes to and within the estate.

Detailed Planning Application – Kick Start Site One

- 4.7 An application for the regeneration of the first kick start site, The 'Old School Site' known as Kick Start Site 1 (KSS1) was submitted by Berkeley Homes on 20th July 2007.
- 4.8 The application was for the redevelopment of KSS1 to provide a mixed use scheme comprising 456 residential units (Class C3), a new 1128sqm Priority Community Facility (to replace Robin Redmond Centre) with associated retail (Classes D1 & A1), 904 sqm of other flexible use accommodation at ground floor to include retail, restaurant, business and other uses (Classes A1, A2, A3, A4, B1, D1, D2) and on street and basement car parking (186 spaces).
- 4.9 The application was a detailed application. The application made full reference to and was principally compliant with the Woodberry Down Masterplan including landscaping, provision of community facility, retail units, affordable housing levels and unit mix.
- 4.10 Following detailed discussions with the Council and the progress of the Masterplan application, the KSS1 application was validated on 23rd July 2007.
- 4.11 The proposed scheme was referred to the Mayor of London under the provisions of the Town & Country Planning (Mayor of London) Order 2000. The Stage 1 report on the scheme was published on 14th November 2007. The Mayor recommended that Hackney Council be advised that the principle of the development was accepted, subject to the successful resolution of outstanding energy, access, transport and local employment initiative issues.

- 4.12 The scheme was presented to Committee on 12th March 2008 and was recommended for conditional planning permission subject to a Section 106 legal agreement, and any direction by the Mayor of London.
- 4.13 Following the committee presentation, the application was referred to the Mayor of London ('Stage 2') on 14th May 2008, who decided that Hackney Council be advised that it may determine the case itself, subject to any action that the Secretary of State may take, and did not therefore wish to direct refusal.
- 4.14 Berkeley Homes agreed to contribute a combined total of approximately £2,891,000 towards educational, skills training, construction training and library contributions. Following the statutory listing of Woodberry Down Primary School, a new site for the Academy was decided on, using land originally intended for housing. Exchange land for this new housing was secured through purchase by Berkeley Homes to obtain vacant possession, and carry out site clearance works. In recognition of this and the latest estimates of costs, it was resolved at the 2nd July Sub-Committee that the educational, skills training, construction training and library contribution should be reduced from a combined total of £2,891,313 to £1,269,000. The Committee on January 2009 subsequently revised this contribution to £1,189,000.
- 4.15 Berkeley Homes and LB Hackney also sought agreement for further changes to the S106 items at the 7th January 2009 Meeting in order to facilitate commencement of the development on site. The detailed planning application (2007/1841) included the provision of 186 affordable units comprising 155 social rented units and 31 intermediate units in KSS1. Due to the extreme market problems that have emerged over the past 6 months, this mix of affordable units was considered unviable. Instead, it was agreed to alter the mix to increase the intermediate provision by 39 units and to decrease the social units by 39, providing 70 intermediate units and 116 social rented units with 270 private units.

5.0 CONSULTATIONS

- 5.0.1 This section sets out the response received to the original application by residents and others further afield in the community, and also consultation responses from expert and other bodies.

5.1 Neighbour consultations

5.1.1 Since the Woodberry Down regeneration project's inception in 1999, the Housing Department, and subsequently Hackney Homes, have utilised a range of means of engaging and involving residents within and around Woodberry Down, including:

- Workshops
- Focus Groups
- Newsletters
- Road Shows
- Resident Site Visits to Berkeley Homes' schemes
- Regeneration Site Visits
- Organised Events (including annual Fun Days)
- Youth Projects
- Community participation (including Tenant Associations and Estate Committees)
- Press releases
- Elected estate development committee
- Independent Tenants Leaseholder Advisors (ITLA)

5.1.2 For the first detailed scheme for the Old School site application (App Ref. 2007/1841), a total of over 4,000 notification letters were delivered to households in and around Woodberry Down, and to adjoining streets in Stoke Newington beyond the reservoirs. A total of 88 responses to the notifications were received.

5.1.3 A Statement of Community Involvement was also prepared by Berkeley Homes and accompanied the previous Planning Scheme (App. Ref. 2007/1841). It summarised the extensive community consultation and engagement that had taken place and which has influenced the design process of the outline application, including site visits by residents to Berkeley Homes developments across London to view similar forms of development to that being proposed at Woodberry Down and a community 'drop in' centre for the planning application proposals in the shop on Woodberry Grove leased by Berkeley Homes.

5.1.4 All of the relevant statutory bodies and the residents' group WDCO have been consulted on the proposed alteration of the scheme (see Section 5.5). Due to the nature of the changes, which do not fundamentally alter the overall design and layout of the scheme, a reduced letter drop was undertaken, but still covering 2,000 residents.

This advertised an exhibition which was held at the Berkeley Homes drop-in shop in Woodberry

5.1.5 All of the local stakeholder groups were consulted on the changes and given an opportunity to respond to the scheme during the application stage, these are as follows:

Summary of Application Notification Responses to the Council

Objection	In WD Masterplan site	Outside Masterplan Area
Height of residential tower building (one also opposed to overall density) <i>See Design, Section 7.5</i>	2	4
Pollution – including visual: loss of Views <i>See Design Conclusions, Section 7.5</i>		1
Impact on wildlife of removal of trees & landscape proposals <i>See Nature Conservation in Section 7.7</i>		6
Generation of additional traffic / inadequate levels of parking proposed <i>See Transport – Section 7.9</i>		2
Additional shops not justified – effects on existing shops & businesses <i>See Alterations to Uses in Block C – Section 7.3</i>		1
A majority of the estate do not favour total development <i>See Planning History (Section 4) & Neighbourhood Consultations (Section 5.1)</i>	1	
TOTALS	2	14
Support	10	4
Neither Support nor Oppose	2	2

5.2 Local group consultations

5.2.1 Berkeley Homes and their architects (Rolfe Judd) met with WDCO on 28th January to discuss the Revised Application proposals.

5.2.2 Key points from the meeting:

- Berkeley Homes set out the timetable for starting the redevelopment of KSS1
- Berkeley Homes explained the proposed changes to the scheme including alterations to the ground floor units in Block C, the extension on Block G and the relocation of the Priority Community Facility (PCF) from Block A to Block G and the alterations to Block A.
- Berkeley Homes explained the phasing with Blocks F and G to be constructed first.
- Key issues raised were; tenure of flats above the PCF, sound proofing of the PCT, proposed outdoor space for PCT and design of additional element to Block G.
- Members of Woodco requested details of proposed materials;
- WDCo enquired about the traffic arrangements, in particular, the construction traffic arrangements. Berkeley Homes stated that they would get their construction manager to liaise with WDCO on the arrangements to minimise disturbance during construction.
- Written observations have yet to be received from WDCO at the time of preparation of this report.

5.2.3 The London Wildlife Trust: Prior to the submission of the revised planning application for KSS1 with its Addendum ES, information on the proposed changes to the scheme was forwarded to the local group, who now have a role in the running of East Reservoir, which is managed for nature conservation.

5.3 Other External Consultations

5.3.1 LBs of Haringey, Islington: No response. It is considered that the revised scheme will not affect these adjoining boroughs. Haringey were concerned about secondary education, but the Skinners Academy is now starting construction and will also serve areas in that Borough. Traffic issues are not considered by this Council or TfL to warrant refusal, subject to final approval of modelling of any forecast growth by TfL.

5.3.3 English Heritage: English Heritage raised no conservation comments regarding the previous scheme and considered the application should be determined in accordance with national and local plan policy guidance and on the basis of the Council's own design and conservation advice. In terms of archaeology EH is satisfied provided

site investigation is approved prior to works below ground, and this is in hand.

- 5.3.4 Commission for Architecture and the Built Environment (CABE): CABE was consulted as part of the original application for KSS1. Overall their comments were very positive towards the scheme, and the design was amended prior to submission to reflect comments received. No further consultation is considered necessary for the revised scheme.
- 5.3.5 Environment Agency: Conditions are again recommended in respect of compliance with the submitted Flood Risk Assessment, and submission of a landscape management plan, including species and maintenance arrangements.
- 5.3.6 Thames Water: A number of detailed requests relating to water supply and drainage specifications, suitable for inclusion in any approval as Informatives.
- 5.3.7 Natural England: No response to date. Natural England was supportive of the original planning application scheme including the ecological mitigation and enhancement proposals, including new areas of green and brown roofing, wildlife-sensitive lighting schemes, realignment of the New River path and a 20m buffer zone between the river and any buildings.
- 5.3.8 Natural England noted for the previous application that it would be keen for the Council and developers of the phases of Woodberry Down to explore the following issues through the development of Woodberry Down:
- Reed bed creation in the West Reservoir
 - Planting of native aquatic vegetation in the New River
 - Water quality monitoring, diagnosis of problems and investigations of potential solutions for the western arm of the New River and the West Reservoir itself.
- 5.3.9 A landscape scheme has already been submitted to the Council as part of the planning conditions on the original permission. The Landscape Management Plan should include continuing management of the matters in 5.3.8 above.
- 5.3.10 London Fire and Emergency Planning Authority (LFEPA): No response. Suitable condition for details of emergency external routes around buildings to be re-imposed.

5.3.11 City and Hackney PCT: No response. The development of the site at Pewsham House will include the provision of a new health centre for Woodberry Down, with the PCT as promoter. This will have major benefits to the areas as a whole, beyond Woodberry Down.

5.3.12 Mayor of London: The Mayor and GLA support regeneration of Woodberry Down as a London-wide priority. The Stage 1 observations are summarised as follows:

London Plan policies on housing, design, climate change mitigation and adaptation and transport are relevant to this application. In general, the application complies with these policies. However, some additional information is required, in addition to the Council securing necessary elements through the legal agreement.

Housing: The housing schedule should meet the requirements of the agreed masterplan. The Council should demonstrate that sufficient social rented and family accommodation is being provided.

Design: The revisions to the scheme are not significant and therefore do not raise strategic design issues.

Climate change mitigation and adaptation: The energy strategy for this application accords with the masterplan strategy, which meets London Plan policies. The Council should adequately secure the strategy.

Transport: Further information regarding cycle parking and servicing impact is required. The Council should secure a proportionate contribution towards public transport improvement and the delivery and management of a travel plan, construction logistics plan and delivery and service plan.

5.3.13 Since the original Old School application, extensive consultation has occurred with both the Masterplan team and the GLA with regards to the provision of sustainable energy on the site. It has been agreed that KSS1 will link with the overall Masterplan renewable energy system in the long term although in the short term the site energy will be provided by two gas fired boilers, one within Block F and one within Block A.. The energy strategy is discussed in detail in the attached Energy Strategy document from MLM however the principle allows for the phasing of the development to occur as proposed whilst ensuring that socially rented properties are not impacted by onerous charges.

5.3.14 Transport for London (TfL): as Transport above.

5.3.15 Metropolitan Police Authority (MPA); Secured by Design: No new observations. The Metropolitan Police Authority was consulted as part of the previous application. Overall, they were positive about the proposals and provided some detailed recommendations on issues including doors, entry and lobby areas (inc CCTV); lighting of communal and bin store areas; design of the broad open buffer zone to New River and other public realm areas; and car parking. The CPDA recommended that on-street car parking spaces be designated to users; some spaces may be designated for the Priority Community Facility. The basement car parking facilities should be designed and built in accordance with the 'Park Mark' safer parking basement/underground parking facility assessment guidelines; all access points from the basement to the stair and lift cores must be access-controlled.

5.3.16 Off-street entry to the basement car park would need steel shutters or doors at the bottom of the entry ramp with an option for similar doors at the top of the ramp, with uneven surface paving or other suitable hard landscaping measures to prevent skateboarding on the ramp. Dual entrances to Blocks A and B (from the green route and Woodberry Grove) creates a less safe environment than a single entry and is unadvisable.

5.3.17 These comments have been considered and many of the recommendations are part of the revised scheme. The comments regarding removing the dual access to retail units has been incorporated into the scheme and access will now be from Woodberry Grove.

5.4 Council departments and officers

5.4.1 The following Hackney Council departments have been consulted with regard the revised application.

5.4.2 Street Scene Division (Transportation and Highways): Comments awaited. WSP Consultants have been in discussion with the Transportation and Highways section regarding the revised application and officers are satisfied with the revised scheme as regards highway issues.

5.4.3 Urban Design and Conservation Team: Final comments awaited. The main changes in the scheme are:

- Modification of storey heights within Block A to provide 2 additional floors to the tower element of the scheme and conversion of the first floor for residential use. The increase in height overall is approximately 2m;
- Increase in footprint of southern end of Block G to accommodate the Priority Community Facility (PCF) with a four storey extension to the block.

5.4.4 Landscape Observations: There are only limited physical changes to the landscaping within the revised scheme and these are highlighted within the Design and Access Statement. The key areas of changes are:

- The change of use of the ground floor of Block C to residential and the subsequent amendment to the public realm;
- Amendments to Block G to incorporate the extension and the provision of the PCF.

5.4.5 Details of the landscaping strategy for hard and soft landscaping are considered acceptable in principle. Any more detailed comments will be reported at the Meeting.

5.4.6 Environmental Health: No response. Comments were received from Environmental Health during the original planning application. These comments led to the imposition of conditions on the planning permission related to:

- Construction Management
- Noise and Vibration
- Contamination of Land

5.4.7 Berkeley Homes has already prepared details to satisfy all of these conditions which have been submitted to the Council.

6.0 PLANNING POLICIES

6.1 Hackney Unitary Development Plan – Saved policies

EQ1: Development Requirements
EQ12: Protection of Conservation Areas
EQ16: Protection of Listed Buildings
EQ18: Setting of Listed Buildings
EQ21: Metropolitan Open Land

EQ29: Archaeological Heritage
EQ32: Shop Fronts
EQ46: Recycling Facilities
EQ48: Designing Out Crime
HO3 Other housing sites
HO5 Estate Improvements
E14: Training
E18: Planning Standards
TR19: Planning Standards
R4: Local Shops
OS1: Enhancing Metropolitan Open Land
OS2: Open Spaces and Parks
OS4: Protection of Character of Open Spaces and Parks
OS5: Development Affecting Open Spaces and Parks
OS6: Green Chains and Links
OS9: Recreational Footpaths, Towing Paths, Cycleways and
Bridleways
OS13: Access and Use of Water Areas
OS14: Development and Areas of Nature Conservation Importance
CS2: Provision of Community Facilities
CS3: Retention and Provision of Community Facilities
CS4: Provision of Health Care Facilities
CS6: Provision of Education Facilities
ACE6: Arts and Open Space
ACE8: Planning Standards

6.2 Other Relevant Hackney Policies

New Residential Development (1998) SPG1
Woodberry Down Area Action Plan (August 2004) SPG
Affordable Housing (2005) SPD
Planning Contributions (2006) SPD
Woodberry Down Urban Design Framework (January 2005 –
non-statutory)
Public Realm Design Guide (draft, July 2007)

6.3 Regional Planning Guidance

RPG 9: Regional Planning Guidance for the South East

6.4 London Plan Policies

- 2A.1: Sustainability Criteria
- 3A.1: Increasing London's Supply of Housing (as amended 2006)
- 3A.2: Borough Housing Targets (as amended 2006)
- 3A.5: Housing Choice
- 3A.6: Quality of new housing provision
- 3A.7: Large Residential Developments
- 3A.9: Affordable Housing Targets
- 3A.10: Negotiating affordable housing in private/mixed-use schemes
- 3A.13: Special Needs and Specialist Housing
- 3A.17: Addressing the needs of London's diverse population
- 3A.18: Protection/enhancement of social infrastructure & community facilities
- 3A.20: Health Objectives
- 3A.24: Education facilities
- 3A.25: Higher and further education
- 3A.27: Meeting floor targets
- 3A.28: Social and Economic Impact Assessments
- 3A.29: Support of Neighbourhood Plans
- 3B.1: Develop London's Economy
- 3B.11: Improving employment opportunities for Londoners
- 3C.1: Integrating transport and development
- 3C.2: Matching transport to development Capacity
- 3C.3: Sustainable transport in London
- 3C.21: Improving conditions for walking
- 3C.22: Improving conditions for cycling
- 3C.23: Parking strategy
- 3D.3: Retaining and Improving Retail Facilities
- 3D.8: Realising the value of open space and green infrastructure
- 3D.10: Metropolitan Open Land
- 3D.13: Children and young people's play and informal recreation strategies
- 3D.14: Biodiversity and Nature Conservation
- 3D.15: Trees and Woodland
- 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.10: Overheating
- 4A.13: Flood risk management
- 4A.14: Sustainable drainage
- 4B.1: Design Principles for a compact City
- 4B.2: Promoting World Class Architecture and Design

- 4B.3: Enhancing the Quality of the Public Realm
- 4B.5: Creating an Inclusive Environment
- 4B.8: Respect Local Context and Communities
- 4B.9: Tall Buildings – Location
- 4B.10: Large-scale buildings – design and impact
- 4B.11: London’s Built Heritage
- 4B.12: Heritage Conservation
- 4C.4: Natural Landscape
- 5C.1: The strategic priorities for North East London

6.5 The Mayor of London’s Supplementary Planning Guidance

- Housing (November 2005)
- Sustainable Design and Construction (2006)
- East London Sub-Regional Development Framework (2006)
- Providing for Children and Young People’s Play and Informal Recreation (March 2008)

6.6 National Planning Guidance

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPG 4: Industrial, Commercial Development and Small Firms
- PPS9: Biodiversity and Geological Conservation
- PPS10: Planning for Sustainable Waste Management
- PPS12: Local Development Frameworks
- PPG13: Transport
- PPG15: Planning and the Historic Environment
- PPG16: Archaeology and Planning
- PPG17: Planning for Open Space, Sport and Recreation
- PPS22: Renewable Energy
- PPS23: Planning and Pollution Control
- PPG24: Planning and Noise
- PPS25: Development and Flood Risk

- The Sustainable Communities Plan (ODPM)
- Circular 05/05 Planning Obligations
- Circular 06/05: Biodiversity and Geological Conservation

6.7 Other Guidance

- CABE/English Heritage: Guidance on Tall Buildings (updated

2007)

- BRE: Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (Littlefair: 2003)

7.0 COMMENT

7.1 Description of development

7.1.1 In addition to the scheme amendments discussed in Section 7.6.4, this report relates to the proposed alterations to the detailed (full) planning permission for the redevelopment of the Old School site (Application ref. 2007/1841). The application, which was granted approval (subject to the signing of the S106 Agreement) on 7 January 2009, consists of a mixed use scheme comprising 456 residential units in the form of flats (Class C3), 1,128sqm for a community hall and related facilities with associated retail (Class D1/A1), 906sqm of flexible accommodation to include retail, restaurant, business and other uses (Class A1, A2, A3, A4, B1, D1, D2), ground and basement car parking (186 spaces). The development comprises seven blocks of four to twenty five storeys in height, a new access road running between Woodberry Grove and Towncourt Path, a re-aligned junction at Woodberry Grove/ Woodberry Down, a new linear public open space and new Local Area for Play.

7.1.2 As a result of the current economic climate and in order to facilitate the redevelopment of the site, Berkeley Homes propose a number of alterations to the scheme that will ensure its financial viability. These changes have been discussed with Hackney Homes and Hackney's Planning Department as they include alterations to tenure mix and an alteration to the number of storeys in Block A and an extension to Block G.

7.1.3 The key amendments to the scheme to be addressed are as follows:

- Alterations to the tenure and unit mix of KSS1 to provide an increase of 34 residential units
- Alteration to the ground floor retail units in Block C
- Provision of flexible use planning permission for Blocks A, B and D - ground floor uses to provide Class A1, A2, A3, A4, B1, D1, D2 uses;
- Modification of Block A to provide 2 additional floors to the tower element of the scheme and conversion of the first floor for residential use;

- Increase in footprint of southern end of Block G to accommodate the Priority Community Facility (PCF);
- Alteration to the proposed development phases on the site to accommodate the construction of social units prior to construction of the private units.
- Minor modifications to the permitted scheme
- Amendments to the Landscaping Strategy
- Revised Energy Strategy to match Masterplan Energy Strategy
- Modifications to the ES through provision of an addendum statement
- Modifications to the Flood Risk Assessment (FRA) through provision of an addendum statement
- Modifications to the Transport Assessment (TA) through provision of an addendum statement

7.1.4 Each of these key issues is addressed in turn below and assessed against national, regional and local policies and in particular the agreed Woodberry Down Masterplan and Design Code, and the adopted Woodberry Down AAP policies and the non-statutory Urban Design Framework.

7.2 Increase in Residential Units and Revised Tenure/Unit Mix

7.2.1 Table 7.1. Planning permission 2007/1841 :

Unit Size	Private	Intermediate	Social Rented	Total	%
Studio	14	0	0	14	3
1 Bed	75	26	41	142	31
2 Bed	86	19	40	145	32
3 Bed	95	13	22	130	29
4 Bed	0	7	10	17	4
5 Bed	0	5	3	8	2
Total	270 (59%)	70 (16%)	116 (25%)	456	100

7.2.2 Table 7.2. Revised Application:

Unit Size	Private	Intermediate	Social Rented	Total	%
1 Bed	85	27	31	143	29

2 Bed	157	30	45	232	47
3 Bed	56	16	36	108	22
4 Bed	-	2	5	7	1
Total	298 (61%)	75 (15%)	117 (24%)	490	100

7.2.3 The proposed development is a mixed-use scheme that is residential led, but also comprises other uses including retail and commercial uses and a new priority community facility (PCF). The planning permission mix for the development comprises 39% affordable housing and 61% private housing.

7.2.4 As noted previously planning permission was originally granted subject to a Section 106 by the planning committee on 12 March 2008. Further to this and in negotiation with the Council amendments were agreed with officers to ensure the delivery of the scheme and the final proposed mix for the planning permission scheme was presented to and approved by the Planning Sub Committee on 7th January 2008. This mix is set out in Table 7.1. The total number of social rented units was 116 and the number of intermediate units 70 units.

7.2.5 Further to this amendment Hackney Homes has undertaken further research into the housing needs and requirement of existing tenants and leaseholders of existing properties in the remainder of Phase 1 and Phase 2 who will be decanted to KSS1. This research has highlighted the need to amend the proposed mix and tenure of units further to reflect the identified need within the social rented and intermediate units. These alterations are as a result of changes to the scheme including the loss of retail units on the ground floor of Block C and the re-location of the PCF. They are also part of the measures Berkeley Homes require to ensure an early start on site. There are three principal areas where there have been changes to the provision of residential units within the scheme, these are

- Increase in unit numbers
- Amendments to the size and mix of units
- Amendments to the tenure mix

7.2.6 **Unit Numbers:** As noted in the tables above there is an increase of 34 residential units proposed within the revised scheme compared to the planning permission. This has been achieved through physical additions to the envelope of the scheme, through conversion of non residential floorspace to residential (i.e. conversion of the ground floor

retail units in Block C) and through amendments to the overall mix of units being provided (i.e. an increase in smaller units within the private tenure). However some of the proposed changes have also reduced unit numbers, i.e. requirements to meet new housing standards for flats, and the removal of all studio units within the scheme.

7.2.7 With regard the increase in the envelope of the scheme, the physical changes are described in greater detail later within the Statement however these changes are limited principally to:

- Two additional storeys to the tower in Block A;
- Minor extensions to Block A and C;
- Four storey extension to Block G to incorporate 12 Towncourt Path

7.2.8 With regard to the conversion of non-residential floorspace, this occurs at two areas in the scheme:

- At first floor within Block A to utilise the space previously proposed for the PCF which has moved to Block G;
- At ground floor within Block C where the four retail units are to be converted to four residential apartments.

7.2.9 These physical changes and conversion of non-residential space has only a limited impact on the surrounding environment and no significant land use or transport effects. There is a marginal increase in the density of the proposed scheme to that permitted from 240 units per hectare to 257 units per hectare. Policy 4B.3 of the London Plan supports the maximisation of the potential of sites and the Mayor's Housing SPG states that higher densities may be required to generate sufficient cross-subsidy to maintain affordable housing provision. Similarly, PPS3 and the Mayor's East London SRDF seek increases in densities to meet housing targets.

7.2.10 **Unit Mix:** The tables above indicate the approved tenure mix and the proposed tenure mix for KSS1. PPS3: Housing encourages local authorities to meet the housing requirements of local areas as well as providing a mix of dwelling types in order to create sustainable communities. Policies 3A.5 and 6 of the London Plan also encourage new development to offer a range of housing choices, taking into account the housing requirements of different groups. The Council seeks to maximise family-sized residential accommodation of three or more bedrooms in the Borough in accordance with identified needs.

7.2.11 The proportion of family accommodation (three bed+) proposed in the revised scheme is 23% of the total number of residential units, in

accordance with London Plan policies, and addressing specific local housing need. There is a reduction in the overall percentage of family units in the scheme from the permitted scheme from 34% to 23% however this is a result of reassessing the need for private sector three bed units. The reduction in private three beds reflects market demand and also the changing face of the private sector market since the onset of the economic downturn.

7.2.12 The percentage of family units (3 bed +) for the intermediate and social rented tenure is higher than the planning permission scheme with the number of family units in the social rented increasing to 34% and the intermediate tenure increasing to 24%.

7.2.13 The scheme provides 10% wheelchair accessible housing (designed to meet GLA Best Practice Guidance). The achievement of 'Parker Morris plus 10%' space standards in the social units in Blocks F and G is a specific response to decanting residents' concerns about the space standards of new social housing, and should be welcomed and supported. All intermediate units will meet HCA Housing Quality Indicator standards (HQI).

7.2.14 The proposed alteration to the unit mix for the private sector units will enable not only an early start but also targets the provision of both private and affordable housing requirements to facilitate decanting of other residents in the occupied parts of Phase 1 and Phase 2. There is small increase in the provision of family units for the social rented and intermediate tenure.

7.2.15 **Tenure:** The core policy of the AAP and the Masterplan is to deliver a replacement for the existing 2,067 socially-rented homes with the subsequent provision dispersed throughout the neighbourhood, and for each neighbourhood to include a mix of tenures. The AAP also seeks to increase the diversity and mix of housing types and the redevelopment should therefore include a proportion of shared ownership and market housing.

7.2.16 The revised application proposes just over 10% of the total Masterplan housing provision of 4664 units (October 2008). After recent revisions to this application, the affordable component comprises 39% of the total units (24% social and 15% intermediate). There are now 192 affordable housing units – 117 social rented units and 75 intermediate units. The breakdown will be as follows:

- Social rented: 31 one bed, 45 two bed, 36 three bed and 5 four bed flats
- Intermediate: 27 one bed, 30 two bed, 16 three bed and 2 four bed flats

7.2.17 The proposed mix allows an increase of 6 affordable units up to 192 to be provided above the planning permission total of 186 with 1 additional social rented unit and 5 further additional intermediate units.

7.2.18 It is considered that the level of affordable housing (39% by unit) remains appropriate and reflects only a small decrease in the affordable housing percentage granted by Committee in January 2009 and reflects an actual increase in the number of units by 6. The revised tenure mix and phasing enables an early start to the site and will ensure that the social rented units can be provided at the earliest opportunity. It does not conflict with the AAP, Masterplan or Policy 3A.8 of the London Plan in that existing social-rented housing is not affected. Similarly, the proportion of affordable housing is consistent with the aims and policies of the UDP and the London Plan. The overall tenure mix also reflects the Mayor's housing SPG which encourages a mix of dwellings to create a more balanced community.

7.2.19 **Conclusion:** It is considered that the proposed alteration to the unit numbers, mix and tenure accords with Hackney UDP and London Plan policies and is in accordance with the Masterplan and AAP. The scheme will provide a range of unit numbers and sizes which meet the actual needs of social rented, intermediate and private occupiers and will ensure that a viable scheme can be developed at the earliest opportunity. Furthermore, all residential units have been designed to comply with 'Lifetime Homes' standards and 10% of all units are designed to meet the needs of wheelchair users. This is consistent with Hackney and London Plan policies.

7.3 Alteration to the use of ground floor units in Block C

7.3.1 The planning permission includes 4 retail units (flexible uses A1, A2, A3, A4, B1, D1, D2) at ground floor in the western side of Block C (facing the green route). This was to increase the opportunity for non residential uses to enliven the proposed pedestrian route from Woodberry Down to the reservoir. However there are concerns over the viability of these units given their location and the effect the proposed ground floor units have on the landscaping and function of the space. These concerns have been mirrored by CABE and LB

Hackney.

7.3.2 Given the concern about viability and to address these concerns Berkeley Homes proposes converting the four ground floor units in Block C to form four new residential units. These units will be for intermediate tenure and will be accessed from ground level reception areas within Block C. All units will have private garden areas. The landscaping plan has been revised to accommodate the change to residential with defensible boundaries being provided in the landscaping.

7.4 Amendments to Blocks A, B & D ground floors; retail and commercial uses; and the relocation of the Priority Community Facility (PCF)

7.4.1 The regeneration of Woodberry Down is residential-led, but intended to provide a comprehensive range of other commercial, community and leisure uses, including expanded primary and secondary school accommodation and the lifelong learning campus; children's centre and nurseries; business centre and offices; youth centre; community centres; new health centre, retail (including local supermarket), restaurants and bars; sailing club; and public open spaces and wildlife centre.

7.4.2 The 'Old School Site' scheme brings in from the earliest phase a series of new retail/commercial units. These are located in the ground floor of Blocks A, B & D.

7.4.3 In order to make Blocks A, B & D commercially attractive to potential tenants and to reduce the potential for voids between lettings it is proposed that these units be given flexible use planning permission (GDPO 1995 Class E) allowing a range of Class A1, A2, A3, A4, B1, D1 and D2 functions. The views of WDCO in relation to enabling existing businesses to relocate have been noted, and although Class A5 (Take Away) uses are not part of the application, there are no planning policy reasons why changes of use of units could not be considered on their individual merits, in particular calling for conditions to safeguard the amenity of residents in upper floor flats if otherwise acceptable. It would not be acceptable in any case to specify named occupiers in the present application for new buildings.

7.4.4 A new Priority Community Facility to replace the Robin Redmond

Centre was previously to be located at first floor level in Block A, with lift access and a reception at ground level within the planning permission. However there were a number of shortcomings with this arrangement and location. Firstly with the revised phasing Block A is currently proposed to be the last to be constructed. This would mean the PCF may not be delivered until the end of the development programme for KSS1. Secondly the PCF was proposed to be located at first floor which was split level and impacted by the structure of the upper floors. This resulted in a design which reduced access and movement for disabled persons. Thirdly the need for the ground floor reception had a detrimental impact on the quality of the residential reception areas and retail space proposed within Block A ground floor.

7.4.5 The benefits of the new PCF located at ground level in Block G are set out below:

- Greater floor area than previously permitted
- Provided on a single ground floor with level access
- Improved disabled access
- Improved access to the open space adjacent to the west reservoir
- Fantastic views from the PCF and in particular the main hall across the reservoir
- Adjacent to the proposed park in Phase 2
- Easier access for vehicles dropping off or picking up guests

7.4.6 A number of constructive comments have been received from WOODCO regarding the proposed PCF including at a specific meeting to discuss the proposals facilitated by Hackney Homes in early February 2009. It is understood that WOODCO in principle supports the relocation of the PCF subject to discussion on management of the premises.

7.4.7 Table 3 details the proposed non-residential uses on this site and the amount of floorspace for each use. Planning policies strongly encourage mixed-use development, particularly on brownfield sites.

7.4.8 **Table 7.3: Old School site – Proposed non-residential uses and floorspace**

Block	Proposed Land Use	Use Class	Floorspace (m ²)
Block A (Ground floor)	Retail/ office services /restaurants etc/	A1/A2/A3/ A4/B1/D1	571

	community uses (flexible – individual unit uses to be approved)		
Block B (Ground floor)	Retail/office/services/ restaurants etc/ community uses (flexible – individual unit uses to be approved)	A1/A2/A3/ A4/ B1/ D1	483.5
Block D (Ground floor)	Retail/office/services/ restaurants etc/community uses (flexible – individual unit uses to be approved)	A1/A2/A3/ A4/ B1/ D1	153
Block G	Priority Community Facility	Class D1	684.2
Total			1891.7

7.4.9 The Masterplan, AAP and Hackney UDP seek to encourage community uses within the area, with the latter requiring facilities appropriate to the scale of the development (Saved Policy CS2). Although the only community infrastructure brought forward with this 'Old School Site' application is the new community centre, the later phases of the Kick Start Sites deliver a health centre, business training centre and new offices for the regeneration team.

7.4.10 The Masterplan shows commercial uses such as shops, services, small-scale offices, cafés and restaurants in key nodes of activity along Seven Sisters Road and near Manor House station, but centring on the new neighbourhood centre in Woodberry Grove.

7.4.11 In qualitative terms, the commercial uses proposed for Woodberry Grove within KSS1 will provide a community hub and local economic activity for Woodberry Down, increasing the vitality of the area and providing essential day-to-day services for the local community.

7.4.12 It is considered that the proposed range of retail and commercial units and the new community centre are fully acceptable and would enhance the vitality of the estate and contribute to the social and economic well-being of the wider area. The proposed uses are therefore in accordance with saved policies R4 and R8 of the adopted UDP, the

core policies of the AAP and the London Plan.

7.5 Design Amendments

7.5.1 The scheme proposes the following changes to the design of the permitted scheme:

- An additional two storeys added to the tower;
- An extension to Block G incorporating 12 Towncourt Path;
- Changes to the elevation of Block G at ground floor level to accommodate the relocation of the PCF;
- Minor changes to the elevation of Block C at ground level to accommodate the conversion to residential;
- Other minor modifications.

7.5.2 Tower and Block A

7.5.2.1 The total number of storeys has increased in the tower in Block A but these remain generally within the overall height of the previous scheme. This is due to the decrease in floor to floor heights from 3000mm to 2900mm. Therefore, the block will comprise a part 25-27 storey tower with lower part 9-11 storey wing to the south adjoining Woodberry Grove.

7.5.3 Block G and PCF

7.5.3.1 The Priority Community Facility (PCF) has been relocated from the ground and first floors of Block A to the ground floor of Block G facing South towards the reservoir. The PCF is angled against the existing rectangular form of the block to create its own identifying entry and semi-public spaces of the hall, internet café and break out spaces. The relocation of the PCF to Block G has resulted in minor amendments to some of the flat plans on the upper floors of the block.

7.5.4 Block C

7.5.4.1 The retail units to the ground floor have been removed to allow for more intermediate flats within the scheme. The ground floor is now entirely of intermediate tenure whilst the upper floors remain private units.

7.5.5 Conclusions on Design

7.5.6 Overall, the proposed first development within Phase 1 of the

Woodberry Down development does not present a more bulky or significantly more dense scheme in its effects on the area. No material visual impact, daylighting or other issues arise from the modifications. It is considered that the proposal complies with the Policies EQ1 of the adopted UDP, 4B.1 of the London Plan and is in accordance with the guidelines set out in the Urban Design Framework and core policies of the AAP.

7.6 Landscape, Play Space and Public Realm

7.6.1 There are only limited changes to the approved landscape strategy which are the result of the conversion of the retail units within Block C to residential and the extension of Block G and the proposed relocation of the PCF to the ground level within Block G.

7.6.2 **Block C:** Given the change of use there are wholly differing requirements for the provision of landscaping adjacent to the ground floor. Whereas previously there was a need for public access to the ground floor and enhanced accessibility along the edge of the building, now it is important to ensure that there is a defensible boundary to the proposed private gardens.

7.6.3 The proposed landscaping now provides public routes set back from the building with hedges and fences ensuring that occupiers of the ground floor units facing the Green Route, can enjoy the vista without having their privacy impacted upon.

7.6.4 **Block G:** The extension of the site into 12 Towncourt Path allows additional landscaping to be provided around Block G and to edge of the New River. Upon completion of Phase 2 of the Woodberry Down Regeneration the proposed landscaping in this area will be a continuation of the proposed new Spring Park to the west.

7.6.5 As for the planning permission the revised scheme will include a number of sustainable measures including the provision of green and brown roofs to maintain biodiversity (particularly for birds) and a Sustainable Urban Drainage Systems (SuDS) to ensure no significant increase in surface water runoff.

7.6.6 The treatment of 'external' areas bordering later phases (Woodberry Grove, Woodberry Lane and other public realm areas) is practical and wholly acceptable. A hard and soft landscaping strategy has already been submitted to the Council under Conditions 5 and 6 of the

Planning Permission and the replanting of tree survey and retention plans have been agreed with the Council's Tree Officer.

7.6.7 Play Strategy: The Planning Permission includes a Doorstep Playable Space (DPS) (formerly termed a Local Area of Play) within the scheme at the southern end of the semi public garden space between Blocks C and E. The DPS is sited in this location to provide a convenient place for young children from all of the blocks to utilise the space and also to allow improved levels of visibility and passive security. A Play Strategy was developed in association with Hackney Homes and its consultants to provide for both the initial phases of development and also the subsequent phases. There are existing neighbourhood play areas to the east of the site on Newton Close. Once the first and second Phases of Woodberry Down have been completed there will be a large park located to the west of KSS1 with significant play facilities including a Multi Use Games Area (MUGA). The provision of landscape, open space, play space and public realm are in accordance with policy H20 (d) of the UDP, the aims and objectives of the Masterplan, Urban Design Framework, the AAP, and the emerging guidance on the public realm. These new open spaces have the potential to be of an excellent standard of design for the application site area and wider community.

7.7 Metropolitan Open Land, Nature Conservation and Water Spaces

7.7.1 The East and West Reservoirs and New River are designated as Metropolitan Open Land (MOL) and Green Chains in the Council's UDP. In addition, the reservoirs and New River are also identified as being Sites of Metropolitan Importance for Nature Conservation; the East Reservoir is also a Local Nature Reserve. The Application Site adjoins a Conservation Area whose special character is largely derived from the relationship between land and water, especially the historic New River.

7.7.2 The planning permission proposes retention and enhancement of the 20m buffer between the New River and the built envelope, with improved landscaping and replanting of native tree species. Substantial planting is proposed across the site, including provision of new trees. In addition, to mitigate against the loss of Black Redstart habitat, brown roofs are to be distributed throughout the site area. Green roofs are also proposed as part of the proposal which can also assist in promoting the biodiversity of the area.

- 7.7.3 The planning permission supports and encourages greater use of the MOL and incorporates the Masterplan aims of providing additional outdoor space and recreational uses associated with the MOL. It incorporates new linked walkways throughout the site, connecting the public open spaces with the MOL (both New River and Reservoirs) and the new linear park. These new north-south links will greatly increase accessibility to the MOL in an area where larger open spaces are at a premium.
- 7.7.4 In addition, the scheme proposes to enhance the New River through the comprehensive re-landscaping of the riverside. No pedestrian bridges are proposed along this section of the New River.
- 5.2.4 TeRNS, the local nature group, had previously raised a number of issues. These were addressed in 2008 and as further concerns about any new landscaping have been expressed by a number of people who use the footpath regularly they remain relevant:
- *The ES appears to have been based largely on a 'desk study'.* Response: Ecologists from WSP have visited the site and have made recommendations based on assessments made during these visits.
 - *Records identified by TeRNS and other groups have not been picked up in any of the desk assessments for the ES.* Response: The recent assessment by WSP for the Addendum has assessed all relevant species to be considered.
 - *A reptile survey was not carried correctly by the Masterplan.* Response: A further assessment has been carried out on site. A toad translocation programme and survey of Bat Activity had been successfully undertaken on site.
 - *The Masterplan ES has understated the potential for impacts to the SPA (located 1.5km distance from Woodberry Down) and needs reviewing.* Response: The EIA and Addendum have assessed the impact of the scheme on the site including any impacts on surrounding areas of importance. English Nature is now satisfied that there are no discernible effects.
 - *Concern that the new buildings will increase light-spillage over the site.* Response: The ES included an assessment of the effects of light spillage onto the reservoirs and concluded that there would not be a significant effect.
 - *The loss of the 'woodland strip' buffer zone adjacent to the New River would decrease habitat.* Response: The revised application retains a landscaped strip of land 20m in width and although there will be some trees removed these have been identified as being of

low quality, with many of them likely to need replacement in several years for reasons such as multi-stemming. There will be extensive replanting of new trees in the scheme, and concentrations of native species ground cover to enhance cover for movements of invertebrates and small mammals.

- *The potential for increased access along the New River and therefore the opportunities for fly tipping, angling and other prohibited activities have not been properly considered.* Response: The increased access will benefit all residents of Woodberry Down. A Landscape Management Strategy is being brought forward to be developed with the Council and this will ensure any activities such as fly-tipping are prevented.
- *Aspects of the scheme (e.g. the wooden bridge from the new river to the west reservoir) were ill advised and poorly thought through.* Response: Bridge has been removed from the scheme.
- *Six UK BAP Priority Species breed or feed on the KSS1 site.* Response: The ES and Addendum have been produced by WSP in association with the Masterplan ES and based on all available data. No definitive evidence was found on the site being a habitat for Priority Species. The effect on all important species of birds has also been assessed and no material effects found – and new brown roofs in the development will give potential new feeding areas.
- *There has been no attempt to put the site and its species into context locally or regionally.* Response: the Masterplan ES, original ES and Addendum all review the local and regional context of the scheme with positive net conclusions.

7.7.5 The proposed improvements to the environment were recognised by the GLA and Natural England, representatives of both having attended meetings and both support the application.

7.7.6 There are only limited changes to the revised planning scheme which affect the MOL and New River and West Reservoir areas. The principal change is the addition of a four storey extension to Block G incorporating 12 Towncourt Path which extends Block G to the west, but the built envelope of Block G does not extend any closer to the MOL or West Reservoir.

7.7.7 Furthermore, the relocation of the Community Facility to Block G will allow greater community accessibility and interaction with the new linear park and landscaped areas in this Quarter of the new Woodberry Down, and is wholly compatible with the future 'Spring Park' which is to be provided as part of Phase 2.

7.7.8 Berkeley Homes has submitted details of the proposed hard and soft landscaping strategies to the Council for Approval under Conditions 5 and 6 of the planning permission. It is considered that the scheme is acceptable and will be sympathetic to and compatible with the MOL, Green Chains, nature conservation and ecology of Woodberry Down. Therefore the application is in accordance with Policies ST9, ST13, ST14, EQ21, EQ30, and EQ31 of the adopted UDP, the core policy requirements of the AAP, Urban Design Framework and policy 3D.9 of the London Plan.

7.8 Addendum to Sustainability and Energy Strategy

7.8.1 As noted in the Stage 2 Report prepared by the GLA in May 2008, an Energy Strategy was agreed for both KSS1 and the overall Masterplan, which saw a stand alone energy centre located under Block A that would be replaced at a future date linking into the estate wide energy strategy developed by Hackney Homes.

7.8.2 Berkeley Homes has commissioned MLM to undertake a thorough review of the energy strategy. This Strategy has been agreed in conjunction with the amendments being proposed to the Masterplan Energy Strategy. These amendments were discussed with the GLA and the Masterplan team at a meeting in December 2008. The reason for the change is that the proposed phasing of the development starting at Block's F and G and working eastwards was wholly incompatible with a single CHP boiler in Block A. In addition, the proposed use of biomass is now questionable given concerns over sourcing and emissions.

7.8.3 The starting point for the revised energy strategy is that the principles agreed within the current planning permission will be largely unaffected by the proposed updated Energy Strategy.

7.8.4 The strategy has been updated inline with the Masterplan Energy Strategy prepared by Scott Wilson and is fully compliant with the long term aim of providing an estate wide energy framework.

7.8.5 The construction sequence will require 2 smaller energy centres located within the Old School Site (KSS1). The primary energy sources will be gas fired condensing boilers and micro CHP with a small amount of photovoltaic (PV) panels. The previous submitted Energy Strategy was for 1 energy centre sized for the KSS1 development and

future KSS3, utilising gas fired boiler and CHP plant. Two smaller energy centres will allow the phased development of the site and early delivery of social housing provision blocks F&G.

- 7.8.6 The revised KSS1 Energy Strategy will achieve a 25% reduction in baseline carbon emissions. The previous submitted energy strategy achieved a 25% reduction in baseline carbon emissions. Future connection to an estate wide energy framework will allow carbon dioxide emissions to reduce further.
- 7.8.7 A fall back provision for additional on site renewable energy is not proposed if the estate wide energy framework is not implemented. Instead, the strategy would allow for a more efficient boiler, CHP or future fuel cell technology to be provided at the end of plant serviceable life should the estate wide energy strategy not be implemented.
- 7.8.8 There is a commitment to provide at least a Code rating of 3 in the Code for Sustainable Homes energy assessment with an aspiration towards Code 4. The proposed measures suggested within the original KSS1 Energy Strategy and now being proposed will assist in achieving this. Given the long term objective of linking with the estate wide Energy Strategy (which will be achieving at least a 25% reduction in carbon emissions), no on-site renewable technologies are currently proposed except for a small level of solar PV during phase 2, which will be the minimum required to ensure that an overall carbon dioxide reduction of 25% will be achieved through the proposed solutions. A 25% reduction in carbon dioxide emissions is the minimum level of carbon saving required for a Code rating of 3 in the Code for Sustainable Homes assessment.
- 7.8.9 As for the planning permission scheme The 'Old School Site' development proposes to advance sustainability across the site by:
- Implementing transport initiatives that reduce the need to travel by private motor vehicles, with a focus on walking and cycling – including a City Car Club
 - applying high energy efficiency building specifications
 - minimising light loss to the sky, particularly from street lights
- 7.8.10 The scheme includes the following sustainable building design measures:

- Reduce CO₂ emissions, with solar efficient forms that maximise solar gain to principal habitable rooms and by incorporating high performance insulation;
- Use sustainable materials;
- Minimise waste from construction;
- Reduce water consumption, including storm water run-off management systems and using water saving appliances;
- Promote recycling, both in terms of neighbourhood recycling facilities and individual properties designed to accommodate refuse storage large enough to enable sorting and recycling.

7.8.11 In addition green and brown roofs will be provided to maintain biodiversity (particularly for birds) and to contribute to Sustainable Urban Drainage Systems (SuDS) and no net increase in surface water runoff

7.8.12 Subject to further detailed approval by the GLA, it is considered the revised planning application Energy and Sustainability Strategy for KSS1 in association with the Masterplan for the scheme accords with policy EQ1(j) of the UDP and Policy 4.A7 of the London Plan.

7.9 Transport & Parking Issues – Addendum to Transport Statement

7.9.1 There are currently two vehicular accesses to the site on Woodberry Grove which has a Public Transport Accessibility Level of four. Seven bus routes operate in close proximity to the development site. Manor House underground station is 320 metres northwest of the site and is serviced by the Piccadilly Line. The nearest Transport for London 'network road' is the A503 Seven Sisters Road 150m north and the nearest 'strategic road' is the A105 Green Lanes 325 metres northwest.

7.9.2 WSP on behalf of Berkeley Homes (Capital) Plc. has prepared an Addendum to the Transport Report previously submitted for the KSS1 application ref: 2007/1841 which assesses the effect of the additional residential units proposed and the reduction of retail space proposed on the following issues:

- Parking and Servicing strategy
- Trip generation
- Impact on existing transport facilities

7.9.3 With regard to parking, the site is currently part of the wider Woodberry Down parking restrictions and the Masterplan envisages that an area wide Controlled Parking Zone will be put in place. Berkeley Homes is proposing 50 on-street parking bays and 119 underground spaces, and this 35% provision reflects the site's accessibility and the Council and Mayor of London's transport aims of reducing the dependence on cars.

7.9.4 The Addendum report identifies that with regard to trip generation rates there would be a very minor change to the figures with a slight reduction to the morning peak period and no change to the evening peak period.

7.95 The Transport Assessment Addendum sets out the impact of the changes to the scheme to various transport users. Given the reduction in retail/commercial floorspace, no increase in service vehicle movements is predicted as part of this component of the development. Similarly, as no change in the function of the PCT is expected, and only a minor change in floor area, the type and number of vehicle servicing trips would not be predicted to increase. It therefore notes the following:

- Pedestrians – No significant change
- Cyclist and Cycling Routes – No significant change
- Public Transport – No significant change
- Road Network – No significant change

7.9.5 There are a number of provisions within the Section 106 provisions relating to Highways Act, including the requirement for agreements under Sections 38, 72 and 278. These include: contribution towards sustainable transport initiatives is essential to assist with initiatives including sustainable travel awareness, the Hackney Car Club scheme, walking, cycling and personalised travel planning. A Travel Plan Co-Coordinator is required to monitor and progress implementation of a Travel Plan, for the first five years.

7.9.6 Overall it is considered the application complies with policies TR6, TR8 and TR19 Planning Standards of the adopted UDP, the car parking and cycle provisions within the AAP, and generally with the London Plan. Planning conditions and obligations will be required to secure the proposed mitigation measures and Travel Plan.

7.10 Addendum to Environmental Impact Assessment and Flood Risk Assessment

7.10.1 Given the scale of development and the potential effects on the environment, a full Environmental Impact Assessment was carried out for the Planning Permission for KSS1 in July 2007 in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The application was supported by a full Environmental Statement (ES) and a non-technical summary.

7.10.2 The ES addressed the following key environmental topics:

- Planning and Land Use;
- Socio Economics and Community Effects;
- Traffic and Transportation;
- Air Quality;
- Noise and Vibration;
- Waste Management;
- Water Resources;
- Contamination and Hazardous Materials;
- Townscape and Visual;
- Ecology and nature conservation;
- Archaeology and Cultural Heritage;
- Daylight, Sunlight and Overshadowing;
- Wind;
- Sustainability
- Construction programme.

7.10.3 In reviewing the Revised Application, WSP Environmental approached LB Hackney in December 2008 to seek 'scoping advice' as to the scope of the work required to support the revised planning application. The approach to the Assessment and the response to the comments received on the July 2007 Environmental Statement are set out in Chapter 2 of the Addendum ES.

7.10.4 The addendum Statement identifies that there are no significant changes to the ES. Updated information is however required on a number of the Chapters given either the revised tenure mix and limited physical changes to the scheme or that there has been a change in policy or guidance since 2007. The chapters additionally assessed are listed below:

- Planning and Land Use;
- Socio Economics and Community Effects;
- Traffic and Transportation;
- Air Quality;

- Noise and Vibration;
- Waste Management;
- Townscape and Visual;
- Ecology and nature conservation;
- Daylight, Sunlight and Overshadowing;
- Wind;
- Construction programme

7.10.5 A revised draft Flood Risk Assessment (FRA) has been undertaken and discussed with the Environment Agency. The EA has commented on a draft version of this report and it has been agreed not to make any significant amendments, other than indicating the flexibility that can be applied in the detailed design stage for the selection of SuDS features.

7.10.6 The Environment Agency has confirmed that the proposed development is situated in flood zone 1 which is of low risk to flooding. To the south of KSS1 is the New River which feeds the West Reservoir and comes under the management of Thames Water. Thames Water has confirmed that the New River is controlled by a series of sluices and overflow weirs to prevent flooding. The West Reservoir is solely fed from the New River and therefore levels within the water body are controlled and cannot flood.

7.10.7 With the development of KSS1, the amount of impermeable surfaces will increase; therefore, the amount of surface water runoff generated on the site will increase. To mitigate against this increase and any associated increase in flood risk it is proposed to install green roofs, swales, permeable paving and underground storage of approximately 672 cubic metres to manage the 1% annual probability flood event. The outlet to the proposed surface water system will follow the historic routes out to the existing combined sewer in Woodberry Grove.

7.10.8 To prevent any overland flooding from extreme rainfall events, the roads and paths across the site will be used to guide the surface water away from the development to areas of open space and then into the surface water system. Therefore, it has been shown that the proposed development is sustainable from a flood risk point of view.

7.10.9 It is considered that due to the nature of the minor changes to the scheme, and the negligible change to the mitigation measures proposed and overall residual impacts of the scheme it is considered that the findings of the 2007 ES remain robust and in accordance with the Woodberry Down Masterplan and AAP requirements and

approaches sought in government advice, UDP and the London Plan. The FRA demonstrates that the proposed development will meet the objectives of reducing surface water run off and will be sustainable.

7.11 Equal Access

7.11.1 The proposed development is a mixed use regeneration scheme of residential, commercial and community use. The Access Statement sets out the approach to inclusion to ensure the buildings and associated facilities will be accessible to all users.

7.11.2 The following documents (some in related disciplines) have been utilised for statutory and best practice guidance:

- Disability Discrimination Act 1995
- Approved Document, Part M of the Building Regulations
- 'Accessible London: Achieving an inclusive Environment'
- 'Designing an Accessible City'
- Published advice and organizations representing the interests of people with disabilities e.g. RNIB, RNID.
- Lifetime Homes.

7.11.3 External Environment

The site has a number of access points, both vehicular and pedestrian. Entry points to the residential accommodation will be taken from Woodberry Grove., Woodberry Down, Towncourt Path and the Mews as well as the public area to the south of the site. Access to the residential tower, located at the junction of Woodberry Down and Woodberry Grove will be taken from Woodberry Down. The entry point to the commercial units will be from the communal public area in between Blocks A, B, C & D and from Woodberry Grove.

7.11.4 Access to all of these areas from the area, from the linear park and areas to the south will be achievable without steps or sudden changes in level and will be wheelchair accessible. Due to the existing gradient of the site, which slopes downwards from north to south, an extensive and innovative landscape response will be utilised to reduce any steep slopes or inaccessible parts of the site.

7.11.5 Car Parking

In accordance with the Masterplan, 10% of the overall parking units in Kick Start Site 1 will be provided for disabled car parking.

7.12 Planning Obligations

7.12.1 There is a range of on and off-site works proposed to mitigate the impact of the proposals. These obligations reflect the impact of the development (in terms of the tests in Circular 5/2005). Discussions have continued with the applicant to agree the form and wording of the Section 106 for the planning permission and the pro rata level of contributions and other obligations within the Agreement, to reflect the greater number of dwellings now proposed.

7.12.2 It is proposed that the revised application will be subject to a fresh S106 agreement and there will again be a requirement to enter into a S278 agreement and Section 38 Agreement with the Council regarding highway works.

7.12.3 The new Section 106 Agreement will address the following appropriate contributions or obligations:

7.12.4 **Housing:** 192 affordable housing units are to be provided; 117 of which will be social rented units and 75 intermediate units, as follows:

- Social rented: 31 one bed, 45 two bed, 36 three bed and 5 four bed flats
- Intermediate: 27 one bed, 30 two bed, 16 three bed and 2 four bed flats

7.12.5 All social rented units are to meet Parker Morris standards plus 10%. All of the approved housing units shall be constructed to 'Lifetime Homes' standards, in accordance with the London Plan, and 10% of these shall be wheelchair accessible.

7.12.6 **Priority Community Facility:** A lease will be provided at a peppercorn rent to Hackney Council for the ground floor of Block G for use as a community facility with retail uses at ground floor of Block A cross-subsidising the community use. Details are to be provided of the locally based management organisation that will be responsible for its management and maintenance.

7.12.7 **Transport: TfL Contributions.** A contribution of **£XX,XXX** (a pro rata increase from the 2007 application) will be made towards improvements in bus capacity in the area, in particular towards improvements to the No. 253 (TfL request) the contribution to be made

when requested by TfL or within 24 months of implementation, whichever is the sooner. A contribution will be made towards improvements in bus stands within the Woodberry Down Area (TfL request), the contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner.

7.12.8 A pro rata contribution of **£XXX,XXX** will be made for works to Seven Sisters Road, to include:

- Reduction of Seven Sisters Road from 6 lanes to 4 (10% contribution);
- New signalised crossroads at Seven Sisters Road/Amhurst Park Junction;
- Upgrade to existing crossroads at Seven Sisters Road and Woodberry Grove;
- New signalised pedestrian crossing;
- New uncontrolled pedestrian crossing.

The contribution should be made when requested by TfL or within 24 months of implementation whichever is the sooner.

7.12.9 *LB Hackney Roads*. An agreement under Section 38 of the Highways Act will be signed between Berkeley Homes and LB Hackney which will require either Berkeley Homes to undertake the following highway works or for LB Hackney to undertake works as follows:

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

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

7.12.10 An agreement under Section 278 of the Highways Act to provide new access road: details should be provided of the locally based management organisation that will be responsible for the management and maintenance of internal roads and car parks.

7.12.11 A contribution to be made towards provision of a Controlled Parking Zone: Residents would not be restricted from obtaining residents' parking permits though spaces would limit their actual utility.

The CPZ contribution to be made prior to any occupation of residential/commercial units occurring.

7.12.12 A contribution to be made to Travel Plan monitoring, including appointment of A Coordinator, the contribution to comprise 10% of the Masterplan intended figure of £35,000. Details of the Travel Plan should be submitted and approved prior to any occupation of residential/commercial units occurring. A contribution will be made towards establishment of a City Car Club with an operation capable of being expanded across the whole Woodberry Down development.

7.12.13 **Educational, Skills Training, Construction Training and Library Contributions:** Contributions towards education and skills training & construction training as agreed at committee on 7th January 2009 for **£1,XXX,XXX**

7.12.14 A contribution towards libraries in the borough of **£XX,XXX**.

7.12.15 **Sustainable Design and Development:** Code for Sustainable Homes: The approved housing shall be constructed to a minimum Code for Sustainable Homes Level 3. Details of the Code Assessment to be submitted and approved prior to any occupation on site.

7.12.16 The following should be submitted and approved by virtue of the S106 prior to any work occurring on the relevant part of the development:

- Energy Assessment

7.12.17 Other on-site works should be identified in the following strategies:

- Drainage Strategy, to include assuring the attenuation of surface water run off, (SuDS)
- Sustainable waste management
- Sustainable design and construction
- Construction Environmental Management Strategy
- Considerate contractors scheme
- Water pollution management

7.12.18 **Public Art:** Based on the provision for the overall Masterplan, a 10% pro rata contribution should be made within 24 months of the implementation.

7.12.19 **Health Care:** Berkeley Homes is contracted to provide a new Health Centre within the Pewsham House Kick Start Site within the next phase of the Kick Start Site applications. Given this acknowledged requirement which has already been entered into, it has been agreed inappropriate to require further contributions towards health facilities within the area.

8.0 CONCLUSIONS

The revised planning application for the redevelopment of the former Woodberry Down School site seeks approval for amendments to the planning permission scheme (ref: 2007/1841).

8.1 The following key issues have been considered and are relevant to the determination of the application:

- The residential aspect of the proposal generally accords with policies of the adopted UDP and London Plan;
- All residential units will comply with 'Lifetime Homes' standards and 10% of all units will meet the needs of wheelchair users, consistent with core policies of the AAP and policy 3A.4 of the London Plan;
- The number of affordable homes has increased by 6 and the level of affordable housing (39% by unit) is appropriate in the context of the Woodberry Down Master Plan and accords with objectives of the emerging LDF Core Strategy and Policy 3A.8 of the London Plan; the proposed mix of dwellings will '..create a balanced and sustainable community' (*GLA Stage 1 Report to Mayor of London*);
- The proposed non-residential uses (in small units) are located in sustainable and viable locations and will enhance the vitality of the estate and contribute to the social and economic well-being of the wider area, consistent with policies R2, R4 and R8 of the adopted UDP, the core policies of the AAP and Policy 4B.1 of the London Plan;
- The proposed height and scale of the proposed buildings including the minor amendments to Block A (***total net increase to parapet of x.xm***) are appropriate and the location of the proposed tall building accords with the requirements of the Urban Design Framework, core policies of the AAP, the recommendations in the Council's Tall Buildings Study and Policies 4B.1, 4B.3, 4B.8 and 4B.9 of the London Plan;
- The proposal complies with the Policies EQ1, EQ3, EQ4 of the adopted UDP, 4B.1 of the London Plan and is in accordance with

the guidelines set out in the Urban Design Framework and core policies of the AAP;

- It is considered that the Addendum Energy Strategy in association with the Masterplan Energy Strategy accords with policy EQ1(j) of the UDP and Policy 4.A7 of the London Plan;
- The provision of the landscape/open space/public realm is in accordance with policy H20(d) of the UDP, the Urban Design Framework, the AAP, and the emerging guidance on the public realm;
- Significant improvements to the MOL, Green Chains, nature conservation and ecology of Woodberry Down are proposed, with the detailed implementation of the various mitigation measures proposed to be secured through planning conditions; this is in accordance with Policies ST9, ST13, ST14, EQ21, EQ30, and EQ31 of the adopted UDP, the core policy requirements of the AAP, Urban Design Framework and policy 3D.9 of the London Plan;
- The application complies with policies TR6, TR8 and TR19 Planning Standards of the adopted UDP, the car parking and cycle provisions within the AAP, and generally with the London Plan;
- The Addendum Transport Assessment has assessed the amendments to the scheme, and has identified that the revised scheme will not detract materially from operation of the surrounding highway network or the movement of pedestrians or cyclists, and will assist in meeting sustainable transport objectives;
- The Addendum ES has identified that due to the nature of the minor changes to the scheme and the negligible change to the mitigation measures proposed and overall residual impacts of the scheme it is considered that the findings of the 2007 ES remain robust and in accordance with the Woodberry Down Masterplan and AAP requirements and approaches sought in government advice, UDP and the London Plan;
- The revised FRA demonstrates that the proposed development will meet the objectives of reducing surface water run off and will be sustainable.

8.4 In conclusion the revised planning application is in accordance with national, regional and local planning policies. It is considered that full planning permission be granted as early as possible to allow the development of KSS1 to be fully implemented and act as a beacon for the regeneration of Woodberry Down.

9. RECOMMENDATIONS:

RECOMMENDATION A

- 9.1 The Council, taking account of the environmental information required under Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, resolves to grant approval, subject to any direction by the Mayor of London and to the following conditions:

CONDITIONS

i) 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.

ii) SCB0 – Development in accordance with plans

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

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

External Appearance:

iii) SCM7 – Details to be approved

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

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

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

:

iv) SCM6 – Materials to be approved (entire site)

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

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

v) SCT1 - Landscaping scheme to be approved

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

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

vi) SCM4 – Ground Surface Treatment

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

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

vii) Highways/TfL (NSC)

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

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

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

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

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

viii) SCH8 – Parking for people with disabilities

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

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

ix) SCH11 - Adequate visibility

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

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

x) (NSC)

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

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

xi) SCH5 – Provision of parking, turning and unloading space

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

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

xii) SCH4 - Forward vehicle ingress/egress only

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

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

xiii) (NSC)

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

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

xiv) (NSC)

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

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

xv) (NSC)

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

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

xvi) (NSC)

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

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

xvii) (NSC)

A Construction Management Plan shall be approved prior to commencement of any work on site, detailing routing, management and all other operational aspects of traffic related to construction, landscape and demolition works.

REASON: In order to ensure that the development does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway.

xviii) (NSC)

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

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

xix) (NSC)

Provisions shall be made within the site to ensure that all vehicles associated with the demolition and construction of the development are properly cleaned. Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed in

accordance with details approved by the Local Planning Authority prior to the commencement of works on site.

REASON: To prevent the passage of mud and dirt onto the adjoining highway in the interest of highway safety.

Environment Agency:

xx) (NSC)

The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for Kick Start Site 1 dated 1st January 23009 and the following mitigation measures detailed within the FRA:

- a) limiting the surface water run-off for the 1 in 100 year climate change critical storm to a flow of 13.8 litres per second
- b) provision of surface water attenuation in green rofs, swales, permeable paving and geocellular systems.

REASON: To prevent flooding by ensuring the satisfactory storage of and/ or controlled disposal of surface water from the site.

xxiv) (NSC)

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

- a) detail of the extent and type of new planting (native species only)
- b) details of maintenance regimes
- c) details of any new habitat created on site
- d) details of treatment of site boundaries and/ or buffers around water bodies
- e) details of the green roofs proposed

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

Environmental Health – Pollution:

xxv) (NSC)

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

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

xxvi) (NSC)

Full particulars and details of the scheme for sound insulation between the proposed commercial, community and residential uses of the buildings shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be installed before commencement of the use hereby permitted and permanently retained thereafter.

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

xxvii) (NSC)

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

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

xxviii) (NSC)

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

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

xxix) (NSC)

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

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

xxx) (NSC)

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

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

Renewable Energy:

xxxii) (NSC)

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

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

Environmental Health –Contamination:

xxxiii) (NSC)

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

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

Archaeology:

xxxiiii) (NSC)

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation for each Quarter, 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.

Trees/ Landscape:

xxxiv) SCT4 – Tree Survey/Retention Plan

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

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

xxxv) SCT3 - Protection of trees on-site during site works

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

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

Lighting:

xxxvi)(NSC)

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

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

xxxvii)(NSC)

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

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

Building Heights:

xxxviii) (NSC)

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

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

Technical Reports

xxxix) (NSC)

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

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

RECOMMENDATION B

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

i) Housing

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

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

ii) Priority Community Facility

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

Transport

Transport and Highways Contributions

- iii) Contribution of £29,800 towards improvements in bus capacity on the area, in particular towards improvements to the No. 253 (TfL Request): contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner.
- iv) Contribution towards improvements in Bus Stands within the Woodberry Down Area (TfL Request): contribution to be made when requested by TfL or within 24 months of implementation whichever is the sooner.
- v) Works to Seven Sisters Road – contribution of £424,970 to include:
- Reduction of Seven Sisters Road from 6 lanes to 4 (10% Contribution)
 - New signalised crossroads at Seven Sisters Road/Amhurst Park Junction
 - Upgrade to existing crossroads at Seven Sisters Road and Woodberry Grove
 - new signalised pedestrian crossing
 - new uncontrolled pedestrian crossing

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

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

- New junction works to Woodberry Grove;

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

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

- vii) Section 278 agreement to undertake new access road: LB Hackney noted that agreement may combine S106 and S278. Details should be provided of the locally based management organisation that will be responsible for the management and maintenance of internal roads and car parks.
- viii) Contribution of £2,200 towards provision of a Controlled Parking Zone: Residents would not be restricted from obtaining residents' parking permits though spaces would limit their actual utility. The CPZ contribution to be made prior to any occupation of residential/commercial units occurring.
- ix) Travel Plan monitoring, including appointment of Coordinator: £3,860 contribution which comprises 10% of the Masterplan intended figure of £38,600. Details of the Travel Plan to be submitted and approved prior to any occupation of residential/commercial units occurring. Contribution towards establishment of a City Car Club with an operation capable of being expanded across the whole Woodberry Down development.
- x) Provision of improved cycle and pedestrian facilities within the scheme. These facilities include new public routes along linear park and a new pedestrian route from Woodberry Down to the river. Details of proposed routes to be provided prior to any work being undertaken on the relevant parts of the scheme.

Educational, Skills Training, Construction Training and Library Contributions

- xi) A contribution totalling £1,269,000 towards primary and secondary education, education and skills training, construction training and library provision is payable in this case.
- xii) Commitment to use of a local construction based training programme

- xiii) Library contributions totalling £88,026 in accordance with Planning Obligations SPD, for both residential and non-residential elements of the scheme. The educational, training and library contributions to be made prior to any occupation of the residential or commercial units.

Sustainable Design and Development

- xiv) Code for Sustainable Homes: The approved housing shall be constructed to a minimum Code for Sustainable Homes Level 4 standard. Details of the independent code assessors report to be submitted prior to any work occurring on the relevant part of the development. Details of the Code Assessment to be submitted and approved prior to any occupation on site.
- xv) The following would be submitted and approved by virtue of the S106 prior to any work occurring on the relevant part of the development.
- No more than 3 community heating networks serving KSS1-4;
 - No more than 3 energy centres to serve KSS1-4;
 - Heat mains to the edge of each of the separate development areas within KSS1 (so that it easily can be linked to adjacent development sites later);
 - Decommissioning the 3 energy centres if the preferred site wide strategy is adopted.
 - Reasonable endeavours used to sign up with an ESCO;
 - Monitoring of the sourcing of any Biofuels used to ensure that it comes from sustainable sources.
- xvi) Other on-site works, Strategies and Restrictions:
- Drainage Strategy, to including assuring the attenuation of surface water run off, SUDS
 - Sustainable waste management
 - Sustainable design and construction
 - Construction Environmental Management Strategy – including construction traffic routing
 - Considerate contractors scheme
 - Water pollution management
 - Control of noise pollution
 - Designing out crime – to ensure Secured by Design or equivalent
 - standards achieved throughout development

Public Art

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

Open Space and Landscape

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

Section 278 – Highways Act

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

RECOMMENDATION C

- 8.3 That in the event of the Section 106 agreement referred to in Recommendation B not being completed by 30th October 2009, the Assistant Director of Planning be given the authority to refuse the application for the following reasons:

- i) The proposed development, in the absence of a legal agreement for securing affordable housing, would be to the detriment of housing needs in the borough and would fail to promote a mixed and inclusive community, and as such would be contrary to policy HO3 of the Hackney UDP (1995), policies 3A.7 and 3A.8 of the London Plan (2004 as amended), the adopted Planning Contributions SPD (2006), and advice contained in PPS1 and PPG3.
- ii) The proposed development, in the absence of a legal agreement for securing community facilities contributions, would be to the detriment of community provision in the borough and would fail to promote a mixed and inclusive community, and as such would be contrary to policy CS2 of the Hackney UDP (1995), policy 3A.15 of the London Plan, the adopted Planning Contributions SPD (2006), and advice on balanced and sustainable development contained in PPS1.
- iii) The proposed development, in the absence of a legal agreement for securing transport and highway improvement contributions, would be contrary to policy TR19 of the Hackney UDP (1995), policies 3C.1,

3C2, 3C.9, 3C.16, 3C.19 and 3C.20 of the London Plan, the adopted Planning Contributions SPD (2006) and advice in PPG13.

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

INFORMATIVES

- i) (SI.1) Building Control
- ii) (SI.2) Work Affecting Public Highway
- iii) (SI.3) Sanitary, Ventilation and Drainage Arrangements
- iv) (SI.7) Hours of Building Works
- v) (SI.24) Naming and Numbering
- vi) (Environment Agency) Conservation
- vii) (EA) Soil Remediation
- viii) (EA) Discharge
- ix) (EA) Potential Contamination
- x) (EA) Abstraction Licence
- xi) (EA) Geothermal systems

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

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

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

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



Signed.....

Date: **1 June 2009**

STEVEN DOUGLAS,
CORPORATE DIRECTOR, NEIGHBOURHOODS AND REGENERATION

NO.	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1. 2. 3. 4. 5. 6.	Hackney UDP 1995 London Plan 2004 London Plan Alterations adopted 2007 Woodberry Down Area Action Plan 2004 Woodberry Down Regeneration Urban Design Framework 2005 Woodberry Down Masterplan & outline applications (LBH Refs 2007/0014 and 2008/1050)	Ron Madell (All)	Ron Madell (all)