

ADDRESS: 2-16 Phipp Street, London EC2A 4PA	
WARD: South Shoreditch	REPORT AUTHOR: Rokos Frangos
APPLICATION NUMBER: 2009/0680	VALID DATE: 25/03/2009
DRAWING NUMBERS: 1-337.P.001, 010, 011, 100 to 103, 149 to 151, 152A, 153A, 154, 200 to 203, 250, 251A, 252A, 253, 350, 351, 400, 450, 451; 1-290/SK051/090316/MB2	SUPPORTING DOCUMENTS: Design and Access Statement, Energy Strategy, Independent Financial Appraisal of Affordable Housing, Planning Statement, Site Waste Management Plan
APPLICANT: Phipp Street Limited c/o agent	AGENT: Dalton Warner Davis LLP 21 Garlick Hill London EC4V 2AU
PROPOSAL: Retention of works comprising a four-storey (plus basement) building with 1536 square metres of commercial floorspace (use class B1) at basement, ground- and first-floor levels and eleven residential units above (comprising five one-bedroom, two two-bedroom, three three-bedroom and one four-bedroom flats), with five parking spaces.	
POST-SUBMISSION REVISIONS: Provision of additional bicycle-store security.	
RECOMMENDATION SUMMARY: Grant conditional planning permission, subject to Section 106 agreement.	

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

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

LAND USE DETAILS:	Use Class	Use Description	Floorspace
Previously	Sui Generis	Surface car park	N/A
Proposed (under construction)	B1	Office	1536 sq.m.
	C3	Residential	819 sq.m.

RESIDENTIAL USE DETAILS:	Residential Type	No of Bedrooms per Unit				
		1	2	3	4	5+
Previously	N/A	0	0	0	0	0
Proposed (under construction)	Market flats	5	2	3	1	0
Totals	(Total = 11)					

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Previously	0	0	0
Proposed (under construction)	4	1	15

CASE OFFICER'S REPORT

1. SITE DESCRIPTION

- 1.1 The application site is located in South Shoreditch, to the west of Great Eastern Street and Curtain Road. The application site consists of a four-storey building currently under construction and nearing completion, containing basement, ground- and first-floor space for use-class B1 accommodation (offices) and eleven residential units above. Construction began subsequent to the granting of planning permission under ref. 2004/2539, although the building differs in some respects from that approved, which is the reason for this retrospective planning application.
- 1.2 The surrounding area contains a variety of buildings of between three and four storeys in height, including converted Victorian warehouses and a variety of more contemporary buildings, dating from the late-eighties to the present day. The main uses are offices, live/work units and a few residential units.
- 1.3 The site enjoys a good level of public transport accessibility. The site is located less than five minutes walk away from Shoreditch High Street Overground station, which opens next year, and Old Street Underground and suburban train station. Frequent, 24-hour bus routes to other parts of central London as well as elsewhere in Hackney operate from Great Eastern Street and Shoreditch High Street/Norton Folgate.
- 1.4 Aside from its location in the South Shoreditch conservation area, the application site falls within a Defined Employment Area (DEA). There are no other UDP designations.

2. CONSERVATION IMPLICATIONS

- 2.1 No statutorily listed or locally listed buildings are affected by the application. The site is located in the South Shoreditch conservation area.

3. HISTORY

- 3.1 23/05/2008: Planning application received for the excavation of basement area to provide 492 square metres of use-class B1 floor space with opening hours 07.00 to 20.00; appealed on non-determination; appeal allowed (ref. 2008/1363).
- 3.2 14/02/2008: Planning permission refused for the erection of a four-storey plus basement building to provide 1536 square metres use-class B1 (business) space and eleven residential units (five one-bedroom, two two-bedroom, three three-bedroom and one four-bedroom) with four car parking spaces and ten cycle spaces; appealed; appeal dismissed (ref. 2007/2099) (Reason for refusal: lack of affordable housing.)
- 3.3 22/01/2007: Planning application received for the creation of new basement level to provide additional class B1 floor space (492 square metres). Withdrawn by case officer 18/11/2008 (ref. 2007/0229).
- 3.4 09/02/2006: Planning permission granted for the erection of a four-storey building to create 951 square metres of use-class B1 (office/light industry) at ground- and first-floor levels and residential on second and third floors, (comprising eleven flats), with six car parking spaces and ten cycle spaces (ref. 2004/2539).
- 3.5 11/10/2001: Planning permission granted (but not implemented) for the erection of four-storey building with basement to provide 3228 square metres of office floorspace (ref. 2001/1163).

4. CONSULTATIONS

- 4.1 Date statutory consultation period started: 01/04/2009
- 4.2 Date statutory consultation period ended: 18/05/2009
- 4.3 Site notice: Yes
- 4.4 Press advert: Yes

4.5 Neighbours

193 surrounding occupiers have been consulted by personal letter. Two letters of objection have been received.

The objections are on the following basis:

- Insufficient parking in the area will be exacerbated by the development
- Basement unsuitable for office space, with too few windows and too little natural light
- Refuse and recycling store is inadequate, given the additional office space, and is poorly positioned
- Access road is too narrow with compromised visibility; 'could be dangerous'.
- If residents have access to the green roof, this would intrude upon the privacy of 1 Motley Avenue.

4.6 Statutory Consultees

4.6.1 Thames Water: No response received.

4.7 Local Consultees

4.7.1 Shoreditch Conservation Area Advisory Committee (CAAC): No objection.

4.7.2 London Fire and Emergency Planning Authority: No response received.

4.8 Other Council Departments

4.8.1 Sustainability and Design: The modified design hasn't changed the original quality of the approved scheme. The landscape arrangement is acceptable in principle but further detail including material samples should be provided. [NB. The hard landscaping has been completed and the materials can be seen on site.] There are some security issues regarding the cycle storage since there are no security gates for the back yard and there is no protection to the bike shelter. Further detail regarding bike shelter should be also provided. [NB. The shelter is covered and details of security gates for the bicycle shelter have subsequently been provided.]

4.8.2 Highways: No response received.

4.8.3 Traffic and Transport: No response received.

4.8.4 Strategic Property: Officers accept that the proposed development will not viably support the provision of affordable housing.

4.8.5 Waste Management: For the residential dwellings they require 2200 litres of waste storage, plus provision for recycling, based on a weekly collection. For the commercial B1 office space they require 3750 litres of waste storage, which must be stored separately from the domestic waste.

5. POLICIES

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

EQ1	-	Development Requirements
EQ40	-	Noise Control
E2	-	Development within Defined Employment Areas
E18	-	Planning Standards
HO3	-	Other Sites for Housing
TR19	-	Planning Standards

5.2 Supplementary Planning Guidance (SPG)

SPG1	-	New Residential Development
SPG11	-	Access For People With Disabilities

5.3 Local Development Framework (LDF): Planning Contributions Supplementary Planning Document (SPD) (2006)

5.4 Local Development Framework (LDF): South Shoreditch Supplementary Planning Document (SPD) (2006)

SSSPD 1.1	-	Townscape quality and character
SSSPD 1.2	-	Mixed uses
SSSPD 1.3	-	Environmental sustainability
SSSPD 1.4	-	Sustainable design and construction
SSSPD 1.7	-	Efficient use of urban land and buildings
SSSPD 1.8	-	An offer of jobs and a variety of employment sectors
SSSPD 1.9	-	A diverse range of housing
SSSPD 1.10	-	Availability of London-wide links
SSSPD 1.14	-	Infrastructure
SSSPD 2.1	-	Employment-led mix of use
SSSPD 2.2	-	Housing
SSSPD 3.6	-	Development and demolitions
SSSPD 4.1	-	Building heights
SSSPD 5.4	-	Recycling
SSSPD 7.1	-	Impact of new development
SSSPD 7.4	-	Cycling
SSSPD 8.1	-	Planning gain guidance
SSSPD 11.1	-	Land uses in Leonard Circus sub-district
SSSPD 11.2	-	Leonard Circus sub-district conservation and design guidance

5.5 London Plan (Consolidated with Alterations since 2004)

2A.1	-	Sustainability criteria
3A.1	-	Increasing London's supply of housing
3A.2	-	Borough housing targets
3A.5	-	Housing choice
3A.6	-	Quality of new housing provision

- 3A.7 - Large residential developments
- 3A.8 - Definition of affordable housing
- 3A.9 - Affordable housing targets
- 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes
- 3B.1 - Developing London's economy
- 3B.2 - Office demand and supply
- 3B.3 - Mixed use development
- 3B.4 - Strategic Industrial Locations
- 3C.1 - Integrating transport and development
- 3C.2 - Matching development to transport capacity
- 3C.3 - Sustainable transport in London
- 3C.23 - Parking strategy
- 4A.1 - Tackling climate change
- 4A.3 - Sustainable design and construction
- 4A.4 - Energy assessment
- 4A.6 - Decentralised energy: heating, cooling and power
- 4A.7 - Renewable energy
- 4A.11 - Living roofs and walls
- 4A.14 - Sustainable drainage
- 4A.16 - Water supplies and resources
- 4B.1 - Design principles for a compact city
- 4B.2 - Promoting world-class architecture and design
- 4B.3 - Enhancing the quality of the public realm

5.6 National Planning Policies

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPG13 - Transport

6. COMMENT

The current planning application is the latest for a site with a complex recent planning history.

In 2006, planning permission was granted (under reference 2004/2539) for the erection of a four-storey building to create 951 square metres of use-class B1 (office/light industry) at ground- and first-floor levels, with eleven flats on the second and third floors.

Construction began on the application site in 2007, ostensibly comprising the implementation of the above planning permission, but with the inclusion of a basement. The building approved under reference 2004/2539 did not include a basement; the basement was therefore being built without planning permission.

Upon notification of the basement excavation, officers requested that building works cease until such time as planning permission was sought and granted for

the basement. Accordingly, the developer submitted a planning application for the basement only, under reference 2007/0229.

However, officers took the view that the basement could not be applied for separately, because a basement was structurally an intrinsic part of the building. As a result, a planning application was subsequently submitted for the entire building again, this time including the basement, under reference 2007/2099 (with application 2007/0229 later withdrawn).

Since the 2004/2539 scheme was submitted, the Council's position on affordable housing had changed, bringing the new planning application (ref. 2007/2099) within the remit of the requirement to provide affordable housing. As none was provided, application 2007/2099 was refused. (However, the acceptability of the basement was not a reason for refusal).

The developer appealed the Planning Service's decision, but the appeal was dismissed, with the Inspector disregarding the developer's emphasis of the 2004/2539 scheme as a materially significant fall-back position, and taking the view that the existence of the basement made the building a different one to that approved in 2006; therefore, as with all new major developments since 2004, the Inspector considered that the Council was not being unreasonable in expecting affordable housing policies to apply.

Subsequently, a number of differing elements were accepted by officers as minor amendments to the approved scheme. Furthermore, another planning application was made for the basement only, under reference 2008/1363, which was accepted by the Planning Service. (In both instances, these matters had been allocated to new officers who were not initially aware of the site's increasingly protracted history, or that the Council's official position was that the building as a whole is unauthorised.)

Accordingly, determination of the new basement-only application (ref. 2008/1363) was held in abeyance and was eventually appealed on non-determination. During the appeal, officers again argued that the basement was not a separate structure and, as the building was unauthorised, it could not be considered as an addition to an approved scheme. The basement should, in the opinion of officers, be regarded as part of the whole, new building and, as this included eleven flats, affordable housing provision should therefore be required.

This time the Inspector (different from the one who determined the first appeal) took the view that the basement could be treated as a separate structure and that, in having no detrimental impact on the character and appearance of the streetscene or the conservation area, the basement was acceptable. The appeal was allowed. (The Inspector did not comment on the acceptability or otherwise of the basement as a work environment.)

The current application was submitted before the appeal hearing for the latter basement-only application (2008/1363), not only in order to regularise the basement issue, but also to regularise the following differences between the built scheme and the 2004/2539 scheme:

- The creation of lightwells associated with the basement
- The creation of new roof terraces by way of enclosure with a railing
- Timber cladding on part of the building laid vertically rather than horizontally
- A minor increase in height on part of the building due to extended lift over-run
- Provision of solar hot-water-collectors on the roof.

The other differences, which the Planning Service has already accepted as 'minor amendments' to the originally approved scheme by way of correspondence during August and September 2008, are:

- Use of English (stretcher) brick bonding throughout, rather than English bonding on the ground floor and Flemish bonding on the upper floors
- Different bin storage location and layout
- Different car-parking and bicycle-parking layout
- Different window arrangement, including introduction of a cantilevered window feature on the top floor
- Different placement, design and materials of entry doors.

Although the issue of the basement's acceptability has now been settled by the Inspector's decision regarding application ref. 2008/1363, which was issued shortly before this Planning Sub-Committee, the developer has concluded that the current application should not be withdrawn and that determination should proceed, in order to establish the acceptability of the other differences between the built scheme and the 2004/2539 scheme, as set out above.

Considerations

In view of the above history, it is considered that the main issues for consideration are:

- 6.1 Differences in the design and appearance between the built scheme and the approved scheme (ref. 2004/2539)
- 6.2 Acceptability of roof terraces
- 6.3 Provision of affordable housing
- 6.4 Sustainability criteria
- 6.5 Other matters
- 6.6 Consideration of objections

Each of these considerations is discussed in turn below.

6.1 Differences in the design and appearance between the built scheme and the approved scheme (ref. 2004/2539)

6.1.1 Aside from the differences already accepted by officers as minor amendments, the principal differences between the design and appearance of the built scheme and the scheme approved under reference 2004/2539 are:

- The creation of lightwells associated with the basement
- Timber cladding on part of the building laid vertically rather than horizontally
- A minor increase in height on part of the building due to extended lift over-run.

6.1.2 With regard to the difference in timber cladding direction, it could be argued that adherence to the cladding direction that was approved for the 2004/2539 proposal might have resulted in a marginally superior standard of detailed design to that evident on the built scheme. However, it is the duty of officers to assess these matters in absolute terms and consider whether or not a decision would have been made to refuse the original proposal had it featured vertical cladding from the start. It is clear that, all other matters remaining the same, officers could not reasonably have refused the application solely on the grounds of cladding direction, and therefore this difference must be considered acceptable.

6.1.3 The creation of lightwells is considered to be acceptable, in the interests of allowing natural light into the basement, and in the absence of any resultant detrimental impact on the streetscene.

6.1.4 The other matter relates to the lift over-run, which the applicant explains had to be included “for health and safety reasons,” i.e. to provide sufficient space for personnel working on the lift for maintenance and repair purposes. The lift over-run is thirty centimetres in height. The lift over-run cannot be seen from street level and has no significant impact on the appearance of either the building itself or the streetscene in which it sits. Therefore the lift over-run is considered acceptable.

6.2 Acceptability of roof terraces

6.2.1 The current planning application features roof terraces for four units within the scheme, which weren’t included in the 2004/2539 planning application.

6.2.2 There are two roof terraces in total, each divided into two. Both are at second-floor level. One of the roof terraces consists of a 1.3-metre-deep strip on the south side of the building, facing the rear of buildings on Scrutton Street. The other roof terrace is larger (4.5 metres deep) and less enclosed, on the northern-eastern corner of the building (i.e. the corner of Christina Street and Motley Avenue).

- 6.2.3 One of the principal issues that has informed the assessment of this planning application is the acceptability of the currently unauthorised roof terraces, in the interests of safeguarding the amenity of adjoining residents from overlooking such as would constitute an intrusion on their privacy.
- 6.2.4 A possible risk of overlooking has been identified from the larger roof terrace to residential units opposite the development on Christina Street and at 1 Motley Avenue, although it is considered that this can be overcome with the installation of suitable screening along the northern edge of the terrace, and part of the eastern edge, which by reason of the roof terrace's siting and orientation (i.e. not visible from Phipp Street) need not have a detrimental impact upon the character or appearance of the streetscene or conservation area. However, it is recommended that the exact details of this screening be submitted to officers as a condition attached to any approval.
- 6.2.5 Aside from this, the roof terraces are otherwise considered to be acceptable; as they are surrounded by use-class B1 accommodation, it is considered that there will be no materially adverse impact on the amenity of nearby residents.

6.3 Provision of affordable housing

- 6.3.1 Although the issue of affordable housing has been an area of contention over the course of this application's history, the developer has submitted a detailed financial feasibility report that has demonstrated to the satisfaction of the valuation surveyors in the Council's Strategic Property team that this eleven-unit building cannot viably support the provision of affordable housing on site, nor an *in-lieu* off-site contribution. In light of this, the provision of a scheme of one-hundred per-cent market housing is accepted.

6.4 Sustainability criteria

- 6.4.1 The Energy Strategy submitted by the developer's consulting engineers admits that the proposed development would, by reason of passive energy-saving measures, reduce the development's carbon dioxide emissions by only two per cent – rising to just under three per cent if solar hot-water collectors are installed on the roof. This falls far short of the twenty per-cent reduction policy requirement in the London Plan.
- 6.4.2 The Energy Strategy sets out how the developer's consulting engineers consider all other renewable energy technologies to be either unsuitable or unviable for a site of this development's size and with this development's constraints.
- 6.4.3 If the current proposal were for a development that had not already been built and not approved, for the most part, in 2006, it is considered that the development's failure to comply with the London Plan policy – and by such

a significant margin – may have constituted a reason for the refusal of the application. However, having due regard to the fact that the building that is the subject of this proposal is mostly completed, officers have taken the view that it would be neither financially nor structurally feasible at this stage to ‘retro-fit’ sustainability into the building, nor reasonable for the Council to demand this by refusing the application on this basis alone. The development’s sustainability offer is therefore accepted in these mitigating circumstances alone; compliance with London Plan sustainability policies will be expected of all other new major developments.

6.5 Other matters

6.5.1 Matters such as the principle of the development (other than the basement); the impact on traffic and transport; the impact on the amenity of adjoining occupiers (other than from the roof terraces); general external design (height, bulk and massing); internal layout, and dwelling mix have been assessed and settled as a result of the approval of the 2004/2539 application. The current application does not differ in these regards and therefore remains acceptable.

6.5.2 The principal new instrument in the Development Plan is the introduction of the South Shoreditch SPD as part of the Council’s LDF (Local Development Framework), which was adopted in the same month that the 2004/2539 application was approved. The current proposal complies with South Shoreditch SPD policies in the above regards. With the exception of the introduction of the South Shoreditch SPD, there has been no change in local, regional or national policy since the application was approved in 2006 sufficient to warrant a change in officers’ views on the acceptability of these matters.

6.5.3 The main policy in the South Shoreditch SPD that the planning application does not comply with is SSSPD.14 (Sustainable design and construction). This issue is addressed in paragraph 6.4.3 of this report. It is considered that this non-compliance is outweighed as a material consideration by the approval of the 2004/2539 scheme and, as such, it is considered that the current application should not be refused for this reason.

6.6 Consideration of objections

6.6.1 Insufficient parking will be exacerbated by the development

This issue is addressed in paragraph 6.5.1 of this report. Furthermore, the building is situated in a Controlled Parking Zone with good public transport accessibility; a ‘no resident’s parking permits’ clause is included in the Section 106 agreement associated with this application.

6.6.2 Basement unsuitable for office space with too few windows and too little natural light

The Planning Inspector who determined the most recent basement-only application (ref. 2008/1363) did not rule or comment on the suitability of the basement space as an office environment. However, it is considered that the Inspector's decision to allow the basement amounts to tacit approval of the space therein, and this outweighs as a material consideration any reservations officers or other interested parties may have about the quality of the office space in the basement. It should be noted that the proposed use-class B1 space includes the ground- and first-floor levels, which have good access to natural light.

6.6.3 Refuse and recycling store is inadequate, given the additional office space, and is poorly positioned

The Council's Waste Management team have raised no objection to the physical location of the bin stores. In terms of capacity, a condition is recommended to secure a level of waste provision appropriate to the development's size.

6.6.4 Access road is too narrow with compromised visibility; 'could be dangerous'

This issue is addressed in paragraph 6.5.1 of this report. The access road in the current planning application is the same as that already approved under reference 2004/2539.

6.6.5 If residents have access to the green roof [i.e. the roof terrace], this would intrude upon the privacy of 1 Motley Avenue.

This issue is discussed in paragraph 6.2.4 of this report. Officers concur that there is a risk of overlooking to this residential property from the roof terrace but consider that this can be addressed with the installation of appropriately positioned screening, which can be secured by way of planning condition attached to any approval.

7. CONCLUSION

- 7.1 Having regard to the above considerations, it is considered that the proposal complies with all pertinent policies in the Hackney UDP (1995), the South Shoreditch SPD (2006) and the London Plan (Consolidated with Alterations since 2004), and on that basis the granting of planning permission is recommended.

8. RECOMMENDATION

RECOMMENDATION A:

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

8.1.1 SCH4 – Forward vehicle ingress/egress only

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

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

8.1.2 SCH8 – Parking for persons with disabilities

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

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

8.1.3 SCH9 – Marking of parking/service areas

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

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

8.1.4 SCH10 – Secure bicycle parking

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

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

8.1.5 SCI3 – No roof plant

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

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

8.1.6 SCM9 – No extraneous pipework

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

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

8.1.7 NSC1 – Non-standard condition

Details of the exact number, size and positioning of the solar hot-water-collectors indicated on drawing 1-337.P.154 as hereby approved shall be submitted to the local planning authority and approved in writing before use of the development first commences.

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

8.1.8 NSC2 – Non-standard condition

The second-floor external space on the corner of Christina Street and Motley Avenue shall not be used as a roof terrace until details of screening along the northern edge (facing Christina Street) and part of the eastern edge (facing Motley Avenue from its junction with Christina Street up to and including 1 Motley Avenue) are submitted to the local planning authority and approved in writing.

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

8.1.9 NSC3 – Non-standard condition

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

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

8.1.10 NSC4 – Non-standard condition

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

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

RECOMMENDATION B:

- 8.2 That the above recommendation be subject to the applicant, the landowners and their mortgagees entering into a deed of planning obligation by means of a Section 106 Agreement of the Town and Country Planning Act 1990 (as amended), in order to secure the following matters to the satisfaction of the Assistant Director of Regeneration and Planning and the Interim Head of Legal Services:**
- 8.2.1 Payment by the landowner/developer of £509.63 as a financial contribution towards Council library facilities. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
- 8.2.2 Payment by the landowner/developer of £33,815.07 as a financial contribution towards education facilities in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006), with child yield information based on the GLA 'DMAG Briefing Note' 2005/25 (updated in May 2006), using Wandsworth survey data as the best available proxy for inner London.)
- 8.2.3 Payment by the landowner/developer of £1,719.32 as a financial contribution towards open space in the borough. (This sum has been calculated in accordance with the approved formula in the Planning Contributions Supplementary Planning Document (SPD) (2006).)
- 8.2.4 Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Section 106 Agreement.
- 8.2.5 No entitlement (unless the holder of a disabled person's badge) to a resident's parking permit.
- 8.2.6 The use of the class C3 residential floorspace hereby approved shall not commence until the use-class B1 accommodation on the basement, ground and first floors is completed to shell and core (i.e. fully finished landlord areas comprising main entrance and reception, lift and stair cores, lobbies and toilets, with the lettable space to remain in shell condition ready for Category A fit-out).

9. REASONS FOR APPROVAL

- 9.1 The following policies contained in the Hackney Unitary Development Plan (1995) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: EQ1 - Development Requirements; EQ40 - Noise Control; E2

- Development within Defined Employment Areas; E18 - Planning Standards; HO3 - Other Sites for Housing; TR19 - Planning Standards.

9.2 The following policies in the South Shoreditch SPD (2006) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: SSSPD 1.1 - Townscape quality and character; SSSPD 1.2 - Mixed uses; SSSPD 1.3 - Environmental sustainability; SSSPD 1.4 - Sustainable design and construction; SSSPD 1.7 - Efficient use of urban land and buildings; SSSPD 1.8 - An offer of jobs and a variety of employment sectors; SSSPD 1.9 - A diverse range of housing; SSSPD 1.10 - Availability of London-wide links; SSSPD 1.14 - Infrastructure; SSSPD 2.1 - Employment-led mix of use; SSSPD 2.2 - Housing; SSSPD 3.6 - Development and demolitions; SSSPD 4.1 - Building heights; SSSPD 5.4 - Recycling; SSSPD 7.1 - Impact of new development; SSSPD 7.4 - Cycling; SSSPD 8.1 - Planning gain guidance; SSSPD 11.1 - Land uses in Leonard Circus sub-district; SSSPD 11.2 - Leonard Circus sub-district conservation and design guidance.

9.3 The following policies in the London Plan (Consolidated with Alterations since 2004) are relevant to the approved development/use and were considered by this Council in reaching the decision to grant planning permission: 2A.1 - Sustainability criteria; 3A.1 - Increasing London's supply of housing; 3A.2 - Borough housing targets; 3A.5 - Housing choice; 3A.6 - Quality of new housing provision; 3A.7 - Large residential developments; 3A.8 - Definition of affordable housing; 3A.9 - Affordable housing targets; 3A.10 - Negotiating affordable housing in individual private residential and mixed-use schemes; 3B.1 - Developing London's economy; 3B.2 - Office demand and supply; 3B.3 - Mixed use development; 3B.4 - Strategic Industrial Locations; 3C.1 - Integrating transport and development; 3C.2 - Matching development to transport capacity; 3C.3 - Sustainable transport in London; 3C.23 - Parking strategy; 4A.1 - Tackling climate change; 4A.3 - Sustainable design and construction; 4A.4 - Energy assessment; 4A.6 - Decentralised energy: heating, cooling and power; 4A.7 - Renewable energy; 4A.11 - Living roofs and walls; 4A.14 - Sustainable drainage; 4A.16 - Water supplies and resources; 4B.1 - Design principles for a compact city; 4B.2 - Promoting world-class architecture and design; 4B.3 - Enhancing the quality of the public realm.

10. **INFORMATIVES**

The following Informatives should be added:

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



Signed..... Date: 1 June 2009

Steve Douglas
INTERIM CORPORATE DIRECTOR, NEIGHBOURHOODS &
REGENERATION DIRECTORATE

NO.	BACKGROUND PAPERS	NAME/EXTENSION OF OFFICER	LOCATION
1.	Hackney UDP	Rokos Frangos 8095	263 Mare Street, E8 3HT
2.	South Shoreditch SPD	Rokos Frangos 8095	263 Mare Street, E8 3HT
3.	The London Plan	Rokos Frangos 8095	263 Mare Street, E8 3HT