

ADDRESSES: 39-47 East Road, N1 6AH	
WARD: Hoxton East and Shoreditch	REPORT AUTHOR: Barry Coughlan
APPLICATION NUMBERS: 2019/3936	VALID DATE: 13/11/2019
DRAWING NUMBERS:	
EST-FLA-ZZ-ZZ-DR-A-05-002	P2,
EST-FLA-ZZ-ZZ-DR-A-05-003	P2,
EST-FLA-ZZ-B1-DR-A-05-009	P1,
EST-FLA-ZZ-00-DR-A-05-010	P1,
EST-FLA-ZZ-01-DR-A-05-011	P1,
EST-FLA-ZZ-02-DR-A-05-012	P1,
EST-FLA-ZZ-03-DR-A-05-013	P1,
EST-FLA-ZZ-04-DR-A-05-014	P1,
EST-FLA-ZZ-RF1-DR-A-05-015	P1,
EST-FLA-ZZ-RF2-DR-A-05-016	P1,
EST-FLA-ZZ-XX-DR-A-05-020	P1,
EST-FLA-ZZ-XX-DR-A-05-030	P1,
EST-FLA-ZZ-B1-DR-A-05-098	P2,
EST-FLA-ZZ-B1M-DR-A-05-098M	P2,
EST-FLA-ZZ-LG-DR-A-05-099	P2,
EST-FLA-ZZ-LGM-DR-A-05-099M	P2,
EST-FLA-ZZ-00-DR-A-05-100	P2,
EST-FLA-ZZ-LM-DR-A-05-100M	P2,
EST-FLA-ZZ-01-DR-A-05-101	P2,
EST-FLA-ZZ-02-DR-A-05-102	P2,
EST-FLA-ZZ-03-DR-A-05-103	P2,
EST-FLA-ZZ-04-DR-A-05-104	P2,
EST-FLA-ZZ-05-DR-A-05-105	P2,
EST-FLA-ZZ-06-DR-A-05-106	P2,
EST-FLA-ZZ-ZZ-DR-A-05-107	P2,
EST-FLA-ZZ-RF-DR-A-05-120	P2,
EST-FLA-ZZ-RFM-DR-A-05-120M	P2,
EST-FLA-ZZ-TP-DR-A-05-121	P2,
EST-FLA-ZZ-XX-DR-A-05-200	P2,
EST-FLA-ZZ-XX-DR-A-05-300	P2,
EST-FLA-ZZ-XX-DR-A-05-301	P2
L-101 C, HERITAGE, TOWNSCAPE AND VISUAL ASSESSMENT MAY 2020, Air Quality Assessment May 2020, Outline Construction Logistics Plan May 2020,	

<p>Outline Construction Management Plan May 2020, Archaeological Desk Based Assessment May 2020, Daylight & Sunlight Report Oct 2019, Daylight & Sunlight Addendum Letter May 2020, Draft Delivery and Servicing Plan May 2020 Waste Management Strategy Mat 2020, Drainage Strategy May 2020, Energy Assessment May 2020, Sustainability Assessment (including BREEAM pre-assessments) May 2020, Noise Assessment May 2020, Air Quality Assessment May 2020, Phase 1 Ecology Assessment May 2020, Archaeology Assessment May 2020, Ventilation/Extraction Assessment May 2020, Health Impact Assessment May 2020, Planning Statement May 2020, Design and Access Statement May 2020, Pedestrian Wind Assessment Oct 2019, Pedestrian Wind Assessment Addendum Note May 2020</p>	
<p>APPLICANT:</p> <p>C/O Agent</p>	<p>AGENT:</p> <p>DP9 100 Pall Mall London SW1Y 5NQ</p>
<p>PROPOSAL:</p> <p>Demolition of the existing office building and redevelopment of the site by the erection of a building 23 storeys in height plus double basement, the building to accommodate offices (within the B1 Use Class - 4,564m²) at lower ground level, ground floor level, mezzanine level and levels 01 to 04, and a hotel (within the C1 Use Class - 210 keys and 6,537m²) at ground floor and levels 5 to 20, with ancillary office and hotel accommodation at basement level, lower ground level, ground floor, roof (plant) level, and roof level, with associated public realm works.</p>	
<p>RECOMMENDATION SUMMARY:</p> <p>Approve conditional planning permission subject to legal agreement.</p>	
<p>POST-SUBMISSION AMENDMENTS:</p> <p>Amendments have been made to the design of the building comprising a reduction in height of 15m (approx. 4 storeys) with corresponding decreases in floor area and some minor changes to facade design. A re-consultation exercise</p>	

has been undertaken.

NOTE TO MEMBERS:

The application is being brought before members due to the size and nature of the application and the extent of public interest generated.

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
PEA	X	
CAZ	X	

EXISTING LAND USE DETAILS

LAND USE	USE DESCRIPTION	GEA (SQM)
B1	Office	1,891
TOTAL		1,891

PROPOSED AMENDED LAND USE DETAILS FOR THE MAIN APPLICATION

LAND USE	USE DESCRIPTION	GIA (SQM)
B1	Office	4,564
C1	Hotel	6,537
TOTAL		11,101

PARKING DETAILS:

	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	20	0	0
Proposed	0	0	118

CASE OFFICER'S REPORT

1. SITE AND CONTEXT

- 1.1 The Site is located on the west side of East Road, less than one hundred metres north of its junction with City Road. To the north is Silbury Street, a cobbled, single-track, dead-end road with a stepped pedestrian access from Provost Street. Surrounding buildings include the five storey Zeus House to the west (with residential uses on the upper 3 floors), the recently built Provost & East, a ten-storey office building to the immediate south and a fourteen storey, red brick, student-housing building opposite on East Road.
- 1.2 To the south and south west, is a linear cluster of three tall buildings at the elbow of City Road and junction with East Street. This includes 145 City Road (39 Storeys), the Montcalm Hotel (21 storeys) and Eagle House (27 storeys). The surrounding area is characterised by a mixture of uses including residential, hotel, student accommodation, offices and retail/cafe/restaurants.
- 1.3 The existing building on site, known as Dial-a-Cab House, is five storeys in height and has a surface level car park to the rear, accessed off Silbury Street. It most recently comprised 1,891sqm of office space.
- 1.4 East Road is a secondary road that is currently three lanes in width with a one way system operating in a southerly direction. Old Street Station is located a short distance to the south and there are a number of bus routes on East Road and City Road.
- 1.5 The site is located within a Priority Employment Area (PEA), the City Fringe Opportunity Area and the Central Activities Zone.

2. CONSERVATION IMPLICATIONS

- 2.1 The site is not within a conservation area. The Underwood Conservation Area sits to the west, 150m approximately away from the site. However, a triangular urban block to the immediate north of the site, mainly composed by a group of Victorian and Late Victorian former warehouses, is proposed to be included in a boundary review of the aforementioned Underwood Conservation Area.
- 2.2 There are no listed buildings within the immediate vicinity of the site. However, there are three listed bollards on Silbury Street immediately to the north of the site. The nearest listed building is the Leysian Mission on City Road to the south.

3. RELEVANT PLANNING HISTORY

- 3.1 SOUTH/506/98/FP - Erection of a five storey rear extension together with the formation of a bridge. Refused 21/10/1998. Reasons for refusal: Impact upon daylight/sunlight; excessive bulk/scale.
- 3.2 SOUTH/830/98/FP - Erection of five storey rear extension & roof top extension together with glazed bridge link on first floor level. Approved 12/01/1999.
- 3.3 SOUTH/915/98/FP - The installation of a link bridge walkway over silbury street between no. 39-47 and 49-51 east road. Approved 21/01/1999

4. CONSULTATIONS

- 4.1 Date initial statutory consultation period started: 21/11/2019
- 4.2 Date second round of consultation started: 28/05/2020
- 4.3 Date Statutory Consultation Period Ended: 21/06/2020
- 4.4 Site Notice: Yes
- 4.5 Press Advert: Yes

4.6 Neighbours

- 4.6.1 In addition to site and press notices, 409 notification letters were sent to nearby occupiers on 21/11/2019 notifying them of the application.
- 4.6.2 A second round of neighbour consultation commenced on 28/05/2020 following a revision to the design of the scheme.
- 4.6.3 In response to the consultation outlined above a total of 3 objections have been received to date from nearby occupiers/interested parties.
- 4.6.4 The grounds of objection and concerns can be summarised as follows:
 - Excessive scale and massing in relation to surroundings
 - Daylight/sunlight impacts of the proposal
 - Wind impacts of a tall building
 - Impact of hotel on local parking
 - Servicing impact of the development on the local highways network and parking
 - Loss of privacy from the use of outdoor terraces etc.
 - Environmental impacts of large construction project
 - Cumulative impacts of construction given number of nearby sites recently redeveloped
 - Overconcentration of hotels in the area
 - Hotel use is noisy and attracts crime

The principles raised in the objections above are considered to have been addressed within the main body of the report unless otherwise noted above.

Local Groups / Other Consultees

Hackney Society

- 4.7.1 The huge scale of the Atlas building was no doubt justified by being the centre of a cluster on City Road - but a building at this scale further up East Road changes it from a 'cluster' to a 'strip' and will have a big impact on the immediate area and set a new precedent for development. It's noticeably taller than both the new developments on the other side of the road (which all felt huge only a few years ago) and critically, it's immediate neighbour to the west which will be awkwardly sandwiched between it and the Atlas building.

There are no elevations or sections showing context and we have not had the benefit of seeing a model which might help us to understand it better.

The slightly unusual shape in plan is likely a result of rights of light and overshadowing issues and makes it feel a bit arbitrary.

This end of East Road is already a shady wind tunnel and this development will only exacerbate that.

The proposed materials and elevations fare typical for the type.

The additional public realm at ground level and improved route through to Provost Street are welcome though the proposed pavement widening needs to be part of a larger change along the length of the road as it is not clear if neighbouring sites also do this.

Overall the proposal is all a bit underwhelming and not really the future of 'Tech City' as the applicant proclaims.

Provost TRA

- 4.7.2 No response received.

Colville TRA

- 4.7.3 No response received.

Hobbs Place TRA

- 4.7.4 No response received.

Hackney Swifts

- 4.7.5 We welcome the proactive commitment to a BREEAM assessment and request that this is included in the planning conditions, in addition to specific measures for biodiversity as developer's ecologists often set a low standard of enhancement without local knowledge. This development is close to areas where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest, so we request that a significant number of integrated swift nestboxes, reflecting the relatively large scale of this development, are installed near roof level, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and improve the local biodiversity, in line with Hackney Council's guidance on this issue (Biodiversity Action Plan 2012-2017). Roosting bricks or boxes for bats, which are also priority species found in this area, plus biodiverse living roof, would be welcome to further boost the local biodiversity. An ecologist would identify the best location in the development.

Statutory Consultees

English Heritage (Archaeology)

- 4.8.1 No objections subject to conditions.

Thames Water

- 4.8.2 No objection subject to informatives.

Transport for London (TfL)

OFFICER NOTE: Additional information has been provided since the below comments were submitted. TfL have since confirmed that the proposal is now considered acceptable.

- 4.8.3 TfL considers that the strategic transport issues arising from this development could be compliant with the current and draft London Plans, subject to the issues below being addressed prior to Stage 2 and determination by the Council. Further clarification is required on deliveries and servicing, securing public realm improvements to walking and cycling routes, the impact of an East Road lane removal, provision of designated disabled car parking bays, improvements to cycle parking, and further assessment of the impact on the London Underground (LU) network. Site description and context: The development is located on the A1200 East Road, which forms part of the Strategic Road Network (SRN).

The nearest part of the Transport for London Road Network (TLRN) is the A501 City Road, approximately 150m south of the site. Silbury Street, a borough road, and East Road bound the site to the north and east respectively. The site has a public transport access level (PTAL) of 6a on

a scale of 1-6, where 6b is the highest. Old Street Underground and National Rail Station is located 300m south and is served by the Northern line and National Rail Services to Moorgate and Welwyn Garden City. Bus stops within 200m of the site provide access to 10 routes. Cycle Superhighway 1, which runs from the City of London to Tottenham, is approximately 350 metres east on Pitfield Street. Route Q13 of the Central London Grid Cycle Network is approximately 250 metres away on Bath Street. The nearest TfL Cycle Hire docking station is on East Road approximately 65 metres away.

Healthy Streets and public realm - The Transport Assessment (TA) submitted includes an Active Travel Zone (ATZ) assessment which is welcomed. TfL would support LB Hackney securing the improvements identified in the ATZ in accordance with policies 6.9 (Walking) and 7.5 (Public realm) of the current London Plan and policies T2 (Healthy Streets) and D7 (Public realm) of the draft London Plan. The planning decision should include an obligation to enter into a Section 278 agreement with the Council to make these changes to the highway, or appropriate financial contributions. TfL supports removing one lane of traffic on East Road, subject to the applicant demonstrating that this will not adversely impact buses and cyclists. Application drawings imply that the proposed lane reduction would be limited to a section of East Road, potentially creating a pinch point. In principle, TfL would support the lane removal extending further along East Road than currently proposed, in line with policies T1 (Strategic approach to transport) and T2 (Healthy Streets) of the draft London Plan and policy 6.7 (Better streets and surface transport) of the current London Plan.

Buses and cyclists could be delayed due to the lane removal if current traffic flows and green times at local junctions remain unchanged. This should be modelled to ensure expected impacts are not unacceptable. The assessment methodology should be agreed with TfL. A follow up discussion on the modelling scope is therefore requested. TfL supports the proposed footway improvements on East Road which would support draft London Plan policies T2 (Healthy Streets) and D7 (Public Realm) and policies 7.5 (Public realm) 67 (Better Streets) and 6.10 (Walking) of the current London Plan. The planning decision will need to include an obligation to enter into a Section 278 agreement with the Council to make improvements to the highway to support the development. TfL supports the reduction in the number of traffic lanes to one through the proposed parklets in line with policies T1 (Strategic approach to transport) and T2 (Healthy Streets) of the draft London Plan and policies 7.5 (Public realm) and 6.7 (Better Streets) of the current London Plan. However, TfL is concerned about potential increases in on street car parking either side of the kerb build-outs proposed, which could contravene policy T6 (Car parking) of the draft London Plan and policy 6.13 (Parking) of the current London Plan.

TfL therefore recommends the removal of the solid kerb upstands from the parklets. This would support Sustainable Drainage System (SuDS) and absorption of run off from the carriageway surface, in accordance with policy GG3 (Creating a healthy city) of the draft London Plan and policy 2.18 (Green infrastructure) of the current London Plan. Page 3 of 5 TfL requests that all bus stops in the vicinity of the site are assessed for compliance with TfL Accessible Bus Stop Design Guidance and the Disabilities Discrimination Act (2010). TfL's Accessible Bus Stop Design Guidance is available at: <http://content.tfl.gov.uk/bus-stopdesign-guidance.pdf> Vision Zero and access.

The proposed development significantly improves pedestrian access for wheelchair users and other disabled pedestrians through step removal at the existing site. This complies with policies D7 (Public realm) and T2 (Healthy Streets) of the draft London Plan and policies 6.10 (Walking), 7.2 (Inclusive environment) and 7.5 (Public realm) of the current London Plan. On street servicing from East Road is proposed, which the Council has encouraged due to space constraints on site. The applicant must clarify how deliveries will be managed, as the submitted outline Delivery and Servicing Plan (DSP) states there may be deliveries by 10-metre rigid lorries. TfL supports the vehicle routing strategy set out in Figure 2-2 of the outline DSP as it complies with policy T7 (Deliveries, servicing and construction) of the draft London Plan.

However, the kerbside servicing arrangement proposed should be subject to a Stage 1 Road Safety Audit prior to determination to support the Mayor's Transport Strategy (MTS) Vision Zero objective to eliminate all deaths and serious injury from London's transport networks by 2041. The RSA must be undertaken in accordance with TfL RSA Procedure SQA0170 and the audit team must be approved in advance by TfL. Please encourage the applicant to contact TfLsafetyaudit@tfl.gov.uk to progress this.

Cycle parking - TfL strongly supports the cycle parking proposed. At basement level the development proposes 100 office cycle spaces in the form of 74 two tier stands, 9 single tier spaces, 4 accessible spaces and 13 folding cycle lockers. 31 long stay spaces are proposed for the hotel; 22 two-tier spaces, 5 single tier spaces, 1 accessible space and 3 folding cycle lockers. 22 short stay cycle spaces are proposed in the public realm in the form of Sheffield stands. This exceeds draft London Plan policy T5 (Cycling) minimum standards. TfL also welcomes that more than the minimum aisle width of 2500mm beyond the lowered frames will be provided for the two-tier cycle racks in accordance with section 8.2.6 (Two-tier stands) of TfL's London Cycling Design Standards (LCDS) guidance. As set out in section 8.2.6 (Two-tier stands) of TfL's LCDS guidance, two-tier stands are not accessible for all users and types of cycle and should be used in conjunction with other types of stand. TfL

would therefore support an increase in the proportion of cycle parking provided as Sheffield stands.

TfL requests a wheeling ramp is installed on the stairway leading down to the basement level to ensure that cycle parking can be accessed at all times even if the lift breaks down.

Trip generation - The proposed development is expected to generate at least 281 AM peak hour trips and 270 PM peak hour trips. To fully assess the impact on the LU network and Old Street Station, TfL requests that the trip generation analysis is split by direction and a station capacity and line loading assessment is undertaken and submitted to TfL prior to determination by the Council. Travel Plan The framework Travel Plan (TP) submitted is satisfactory.

The Council may wish to secure a full TP and monitoring funding as part of any Section 106 (S106) agreement. Construction, deliveries and servicing An outline Construction Logistics Plan (CLP) and Draft Delivery and Servicing Plan (DSP) have been submitted. A full Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP), both produced in accordance with TfL best practice guidance, should be secured by condition for approval in consultation with TfL. The CLP should be in place before construction commences and the DSP prior to occupation.

Car parking - TfL strongly supports the proposed development being car free in accordance with current London Plan policy 6.13 (Car parking) and draft London Plan policies T6.2 (Office parking) and T6.4 (Hotel and leisure uses parking). The TA suggests disabled employees may utilise on-street shared use bays. This proposal does not comply with policy T6.5 (Nonresidential disabled persons parking) of the draft London Plan. TfL would support the Council re-designating existing on street parking to create 2 new disabled car parking bays to serve this development.

An electric vehicle charging point should be provided for at least 1 of the disabled parking spaces proposed. Passive provision should be provided for the second disabled parking space. This should be secured via condition. Summary Page 5 of 5 In order to comply with the transport policies of the draft London Plan and current London Plan further work by the applicant.

Fire Brigade

4.8.4 No response.

4.9 Greater London Authority

OFFICER NOTE: The below comments are based on the first iteration of

the scheme. The GLA have been informed of the revision and have not sought to make any further comment. Additional information has also been provided since the below comments were submitted which the GLA have confirmed is sufficient to address the outstanding matters referred to below, subject to the provision of some additional material on sustainability.

- 4.9.1 London Plan policies on opportunity areas; central activity zone; employment and visitor infrastructure; urban design, inclusive design; transport; and climate change are relevant to this application. Whilst the provision of employment and hotel uses within a tall building is supported in principle, the application does not yet fully comply with the London Plan and draft London Plan for the reasons set out below:
- 4.9.2 Principle of development: the redevelopment of this highly accessible site and provision of a high-quality office and hotel development within the CAZ and City Fringe Opportunity Area is strongly supported in strategic planning terms, in line with London Plan and draft London Plan Policies.
- 4.9.3 Urban design: the principle of a tall building in this location is supported in line with local plan and London Plan policy. The overall design quality is of a high standard and the improvements to public realm and pedestrian permeability are welcomed. Details of materials must be secured by condition to ensure the high quality of design is delivered.
- 4.9.4 Transport: Further clarifications are required regarding deliveries and servicing, walking and cycling routes, the impact of East Road lane removal, disabled parking bays, improvement to cycle parking and further assessment of the impact on the London Underground network
- 4.9.5 Sustainable development: water, energy and urban greening matters require resolution.

4.10 Council Departments

Environmental Services

Air Quality

- 4.10.1 No objections subject to conditions.

Noise Pollution

- 4.10.2 No objection subject to conditions in relation to noise from plant.

Traffic and Transportation

4.10.3 No objection subject to conditions and the securing of contributions/obligations by way of legal agreement (detailed further below).

Drainage

4.10.4 No objections subject to conditions.

Waste Management

4.10.5 No objections subject to conditions.

4.11 Design Review Panel

OFFICER NOTE: The scheme went before the Design Review Panel on two separate occasions. Below is the commentary in relation to the most recent occasion. The scheme has since been reduced in height following officer feedback.

Introduction

The Panel welcomed the opportunity to see the scheme for a second time at a more progressed stage of its architectural design.

The review focused on the outstanding issues related to the height of the building and its architectural appearance.

The Site is a relatively small parcel on East Road measuring 30 by 20 metres approximately, currently occupied by Dial-a-Cab House, a five-storey office building comprising 1,891 sqm (GIA).

The proposal is for the redevelopment of the site to deliver a mixed-use building (107m AOD) equivalent to 26 storeys approximately, comprising office space on the lower six floors podium and basement floor and a hotel (around 240 rooms approximately) on the floors above.

C1 Capital are in agreement with the landowner (Summix), to build out this development.

Urban context - Townscape

The Site is located on the west side of East Road, less than one hundred metres north of its junction with City Road. To the north, it is bordered by Silbury Street, a cobbled, single-track dead-end road with a stepped pedestrian access from Provost Street.

The surrounding buildings include the five storey Zeus House to the west, the recently built Provost & East, ten-storey office building to the

immediate south and the fourteen storey, red brick, student-housing building opposite East Road.

A linear cluster of three tall buildings has recently emerged at the elbow of City Road and junction with East Street, including the Atlas at 145 City Road (39 Storeys), Montcalm (21 storeys) and Eagle House (27 storeys).

The site is not within a conservation area. However, the triangular urban block to the immediate north of the site, mainly composed by a group of Victorian and Late Victorian former warehouses, is proposed to be included in the Underwood Conservation Area, which currently starts approximately 150m to the west of the site.

Height – Bulk – Massing

The Panel welcomes the additional and refined townscape analysis presented at this follow-up review of the scheme.

Whilst not being immediately unanimous on the opportunity of a tall building on this constrained site, the Panel generally understands the townscape justifications for designing the scheme in a way as to complete the three-dimensional form of the currently linear and unbalanced cluster of tall buildings on City Road.

The Panel feels that the proposed height for the scheme has reached the maximum considerable for this site. Additional height would compromise its intended mediating role between the lower elements of the City Road cluster and its pinnacle at 145 City Road and its subservient relationship with the lower shoulder of 145 City Road.

The Panel thinks that any reduction in height that might be made to address the townscape concerns raised by the Council, should be substantial enough to make the building lower than Eagle House and avoid its roof-parapet reading awkwardly in line with this neighbouring building on long views from Hackney.

The Panel understands that the proposed height is also related to achieve an elegant and slender form and that the current scheme works well in terms of its overall proportions.

Overall, the Panel feels that there are not strong enough reason in townscape terms to consider a slightly lower building as preferable to the current 26 storeys scheme.

Public realm - Landscape

The Panel praises the significant improvements made to the overall urban design strategy associated with the scheme, which effectively address the issues raised at the previous DRP.

The entrance to the office and hotel premises has been repositioned to the north, which benefits to create a much stronger sense of arrival to the building, celebrate more confidently its entrance and mark the junction of East Road and Silbury Street.

Organically with the intent of enhancing the pedestrian character and environmental quality of this secondary route, the Panel welcomes the repositioned service and cycle/refuse access on East Road, originally positioned on Silbury Street in the previous iteration of the scheme.

The Panel feels that the scheme's relocated accesses and improved interface with the public realm has also assisted in improving the landscape design proposals. The enlarged paving on East Road incorporates effectively the service loading bay, parking bays with trees and seating, into a united composition with the pavement on Silbury Street and would promote further improvement of the public realm along East Road.

Architecture

The principal option presented for the scheme's elevation is based on a rational language of brick grid and recessed brick-infills & windows panels.

The Panel feels that in most of the presented visualisation, this option looks too heavy, bland and monolithic. The tall element of the scheme sits uncomfortably on top of the lighter, glazed podium. An alternative option incorporating brick grids and metal (or other suitable material with a light character) infill panels should be investigated and the infill panels textured, shaped and perforated in a way to contribute to create dynamic and expressive facades.

An orange/buff brick, lighter than shown on the current principal option, should be explored.

Different brick types, including roman bricks, pointing colour, method and texture should be thoughtfully considered in reference to how the building facade would be experienced at the street level and perceived as a more textured surface on long views.

Particular attention should be paid to how the building elevation would behave at day and night time, with the patchy effect created by lamp-lit and dark windows. The design of the building elevation should include the whole depth of the external wall and incorporate the internal screening as an integral part of the external facade.

Whilst the Panel thinks that coloured (particularly orange) GRC would not be a suitable solution for this scheme, at this stage it would not dismiss investigating alternative options with a more “structural” precast-concrete grid and/or infill-panels.

The Panel recommends that the top of the building should be redesigned more expressively and bring more character and enjoyment to the building. Perforated metals, a soft-lighting scheme and a vertical emphasis on the rhythm of grid and panelling are some of the available options to be considered. Quantum and size of plant should be fully understood and located to avoid unsightly views.

The Panel understands the rationale behind the approach of bringing the tall element of the scheme down to the ground, to fully express its elegant form and slender proportions and subtly separate it from the adjoining part of the podium. However, it considers that this approach has not been applied consistently and holistically around the whole scheme. This has a negative effect on the architecture of the podium, whose articulated form and superficial treatment appear as a by-product of that main gesture of the tall building and sunlight/rights-to-light related constraints, more than a coherent and integral element of the scheme. The green wall on East Road in particular appears alien to the treatment of all other parts of the podium and to the overall architecture of the scheme.

The Panel recommends that a more consistent language is applied to the podium in order to legibly express its form, massing and subtle differentiation from the tall building. On Silbury Street, the applicants could investigate richer detailing in the narrow gap currently designed at the interface of the tall building and the podium, and consistently apply this approach on East Road. Subtle variations in colour and texture of the infill panels could also be explored.

The Panel thinks that the narrow northern elevation plays a principal role on local views and long views from Hackney, as it stands on a prominent position above the main entrance to the building and because of its pronounced, slender character. This facade could have a more distinct character and be subtly differentiated by playing on the materiality and finish of the infill panels, using soft lighting as an integral component of its design and, for example, carrying down some memories of the top crown of the building.

Internal layout

Whilst the Panel understands the challenges associated with unlocking the re-development of this strongly constrained site, it recommends that all alternative options are fully explored prior to discharge the possibility of a residential component for this scheme, including co-living units.

On the basis of the current mix of uses, the Panel thinks that the internal layout of the scheme has been hugely improved since the previous DRP and organised more rationally around a functional central core.

The ground floor shared entrance and lobby for the hotel and offices is organised more rationally. The design of the lower floors is more engaging and inviting, with visual connection between ground floor, mezzanine and lower-ground floor, created by open stairs and internal lightwells.

The Panel feels that the offer of amenity space for the office uses of the scheme could be improved by using the stepped terraces.

Conservation

The Panel considers the reasoning behind the proposal more convincing than at the previous DRP and underpinned by a more comprehensive townscape analysis and presentation. It understands the proposed change in materiality from the previous steel & glass elevation to an orange/buff brickwork sympathetic to this of the neighbouring historic buildings to the north, which would create a more contextual response to the urban character of East Road. The panel does not necessarily support a complete match with the buildings to the north therefore other more calmer colours should be explored particularly when considering the longer views.

In conclusion, the Panel considers that the suitability of the scheme for the setting of the surrounding conservation areas depends on achieving the highest quality for its architecture and making a positive contribution to the existing skyline on long views and from all directions. In line with recommendations in previous paragraphs, the Panel recommends that the architecture of the proposal is further refined, conceptually clearer and carefully detailed to be reviewed again prior to submission.

Environmental

The environmental aspects of the scheme were not discussed at this DRP. In keeping with previous DRP comments, the Panel recommends that this aspect of the scheme is addressed strategically and not as an afterthought at the next stage of the design process.

The Panel welcomes the increased number of proposed trees when compared to the previous stage of the design process.

A wind analysis study should be explored and demonstrated to ensure that the scheme would not channel winds towards the ground and create an inhospitable environment at street level.

Summary

Generally, the Panel welcomed the significant improvements made on all aspects of the scheme, when compared to the previous DRP. The Panel considers that the proposed architecture of the scheme should be both refined, clarified conceptually and developed exploring alternative options for its materiality and colour/texture. The panel would welcome a final review prior to submission.

The main outstanding issues concern the currently bland and heavy appearance of the tall element of the scheme, the expression of its crown and the unresolved relationship between the tall element and the podium of the scheme.

5 Policy Framework

5.1 Hackney Local Development Framework (LDF)

Core Strategy (2010)

- CSP6 - Transport and Land Use
- CSP12 - Health and Environment
- CSP15 - Evening and Night Time Economy
- CSP16 - Employment Opportunities
- CSP17 - Economic Development
- CSP18 - Promoting Employment Land
- CSP24 - Design
- CSP25 - Historic Environment
- CSP26 - Open Space Network
- CSP27 - Biodiversity
- CSP29 - Resource Efficiency and Reducing Carbon Dioxide Emissions
- CSP30 - Low Carbon Energy, Renewable Technologies and District Heating
- CSP31 - Flood risk
- CSP32 - Waste
- CSP33 - Promoting Sustainable Development

Development Management Local Plan (2015)

- DM1 - High Quality Design
- DM2 - Development and Amenity
- DM4 - Communities Infrastructure Levy and Planning Contributions
- DM6 - Arts, Culture and Entertainment Facilities
- DM11 - Evening and Night Time Economy Uses
- DM14 - Retention of Employment Land and Floorspace
- DM15 - New Business Floorspace
- DM16 - Affordable Workspace
- DM17 - Development Proposals in Priority Employment Areas
- DM27 - Hotels
- DM28 - Managing the Historic Environment
- DM31 - Open Spaces and Living Roofs
- DM33 - Protection and Enhancement of existing Open Space and the Lee Valley Regional Park
- DM35 - Landscaping and Tree Management
- DM38 - Sustainability Standards for Non-Residential Development
- DM39 - Offsetting
- DM40 - Heating and Cooling
- DM41 - Contaminated Land
- DM42 - Pollution and Water and Air Quality

- DM43 - Flooding and Flood Risk
- DM44 - Movement Hierarchy
- DM45 - Development and Transport
- DM46 - Walking and Cycling
- DM47 - Parking and Car Free and Car Capped Development

LP33

- LP1 - Public realm
- LP1 - Design quality and local character
- LP2 - Development and amenity
- LP3 - Designated heritage assets
- LP4 - Non designated heritage assets
- LP6 - Archaeology
- LP12 - Housing supply
- LP25 - Visitor Accommodation
- LP26 - New Employment Floorspace
- LP27 - Protecting and Promoting Office Floorspace in the Borough
- LP28 - Protecting and Promoting Industrial Land and Floorspace in the Borough
- LP29 - Affordable Workspace and Low Cost Employment Floorspace
- LP30 - Railway Arches
- LP31 - Local Jobs, Skills and Training
- LP41 - Liveable neighbourhoods
- LP42 - Walking and cycling
- LP43 - Transport and development
- LP44 - Public transport and infrastructure
- LP45 - Car parking and car free development
- LP47 - Biodiversity and sites of importance for nature conservation
- LP48 - New open space
- LP49 - Green chains and green corridors
- LP50 - Play space
- LP51 - Tree management and landscaping
- LP53 - Water and flooding
- LP54 - Overheating
- LP55 - Mitigating climate change
- LP56 - Decentralised energy networks
- LP57 - Waste
- LP58 - Improving the environment and pollution

Planning Contributions Supplementary Planning Document (2015)

South Shoreditch SPG

Sustainable design and construction supplementary planning document (2016)

Public Realm SPD (2012)

5.2 London Plan (2016)

- 2.1 - London in its global, European and United Kingdom context
- 2.3 - Growth areas and co-ordination corridors
- 2.5 - Sub-regions
- 2.9 - Inner London
- 2.10 - Central activities zone – strategic priorities
- 2.11 - Central activities zone – strategic functions
- 2.12 - Central activities zone – predominantly local activities
- 2.13 - Opportunity Areas and Intensification Areas
- 2.18 - Green Infrastructure: The Network of Open Spaces
- 3.1 - Ensuring equal life chances for all
- 3.2 - Improving health and addressing health inequalities
- 4.1 - Developing London's economy
- 4.2 - Offices
- 4.3 - Mixed use development and offices
- 4.5 - London's Visitor Infrastructure
- 4.10 - New and emerging economic sectors
- 4.11 - Encouraging a connected economy
- 4.12 - Improving opportunities for all
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.4A - Electricity and Gas Supply
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.16 - Waste net self-sufficiency
- 5.17 - Waste capacity
- 5.18 - Construction, excavation and demolition waste
- 5.20 - Aggregates
- 5.21 - Contaminated land
- 6.1 - Strategic approach
- 6.2 - Providing public transport capacity and safeguarding land

for transport

- 6.3 - Assessing effects of development on transport
- 6.4 - Enhancing London's transport connectivity
- 6.5 - Funding crossrail and other strategic transport infrastructure
- 6.7 - Better streets and surface transport
- 6.9 - Cycling
- 6.10 - Walking
- 6.11 - Smoothing traffic flow and tackling congestion
- 6.12 - Road network capacity
- 6.13 - Parking
- 7.1 - Lifetime neighbourhoods
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.18 - Protecting open space and addressing deficiency
- 7.19 - Biodiversity and access to nature
- 7.21 - Trees and Woodlands
- 8.2 - Planning obligations
- 8.3 - Community infrastructure levy

5.3 Strategic Policy Guidance

Accessible London: achieving an inclusive environment SPG
The Control of Dust and Emissions during Construction
Character and Context
Use of Planning Obligations in the funding of Crossrail and the Mayoral Infrastructure Levy
Planning for Equality and Diversity in London
Central Activities Zone SPG
City Fringe Opportunity Area Planning Framework
The Mayor's Transport Strategy
Planning and Access for Disabled People: a good practice guide (ODPM)
Sustainable Design and Construction SPG
Mayor's Climate Change Adaptation Strategy
Mayor's Climate Change Mitigation and Energy Strategy
Mayor's Water Strategy

5.4 National Policy

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

5.6 Emerging Planning Policy

The GLA is producing a new London Plan, which was subject to Examination in Public between January 2019 and May 2019. The Inspectors' Panel report was published on 08 October 2019. This contained a series of recommendations on amendments to the Plan, some of which the Mayor chose to accept and some which he chose to reject. The reasons for his rejections accompany the London Plan "Intend to Publish" version was sent to the Secretary of State (SoS) on the 9th December 2019. Subsequently, on the 13th March the SoS raised significant concerns with Intend to Publish London Plan. The Mayor of London responded to the SoS on 24th April to commence discussions regarding the SoS's directions. The adoption of the new Plan is not imminent.

The Hackney Local Plan 2033 was submitted to the Planning Inspectorate on 23 January 2019 for Examination in Public. Following the examination hearings in June 2019, consultation on the main modifications was carried out from 25 September 2019 to 6 November. All representations received were sent to the Inspector in November 2019 for consideration in concluding on the soundness of Plan subject to some modifications. The Inspector's final report on the new borough-wide Local Plan (LP33) was received on 10 June 2020, and adoption of LP33 is scheduled for 22 July 2020.

The NPPF sets out that decision takers may also give weight to relevant policies in emerging plans according to their stage in preparation, the extent of unresolved objections and degree of consistency with the NPPF. Both emerging plans are material planning considerations and carry weight in decision making at this stage. Now that the Inspector's final report on Hackney's Local plan has been received, all policies in LP33 carry significant weight in decision making in accordance with the modifications recommended by the Inspector

Having regard to the above, emerging policy within these plans is discussed in the body of this report. Full regard has been had to the emerging LP33 policies set out in section 5.1 of this report

6.0 COMMENT

Description of Proposal

- 6.0.1 The proposal is to demolish the existing building on site and to erect a building of 23 storeys in height, plus two basement levels. The building would be arranged as a podium or base from ground to 5th floor level with a slender tower above rising from 6th to 22nd floor level (including two floors of plant). The base of the building would be stepped back incrementally from the western boundary of the site and the tower would have a trapezoidal form with its principal east elevation, and part of the north elevation, flush with the building's base.
- 6.0.2 The building would be clad principally in brick with some black metal cladding used at the base. The facade system would principally be based on a regular brick grid with glazing on the office levels and a brick grid of alternating brick infill panels and glazing on the hotel floors.
- 6.0.3 Office uses would be provided at basement to 4th floor level including a mezzanine at ground floor level providing additional office space. The upper floors of the building would comprise a 210 room hotel use. The total proposed floor areas are 4,564m² office (B1) and 6,537m² hotel (C1).
- 6.0.4 Part of the ground floor would act as a shared lobby space for both the hotel and offices. Due to the operating model of the intended hotel occupier, ancillary hotel uses such as a restaurant or bar are not proposed.
- 6.0.5 The principal access to the building would be from a recessed entrance on the corner of East Road and Silbury Street. Public realm works are proposed on Silbury Street to the north and on the East Road frontage. Servicing would be from East Road. Cycle parking would be provided at basement level.

6 Considerations

The principal material planning considerations relevant to this application are as follows:

- 6.1 Principle of Land Use;
- 6.2 Design, Appearance and impact upon Heritage Assets;
- 6.3 Standard of Office Accommodation;
- 6.4 Traffic and Transportation;
- 6.5 Energy and Carbon Emissions;
- 6.6 Environmental Impact upon Nearby Occupiers;
- 6.7 Trees, Landscape and Biodiversity;
- 6.8 Other Planning Matters;
- 6.9 Community Infrastructure Levy/Section 106 Agreement

Each of these considerations is discussed in turn below.

6.1 The Principle of the Use

Employment Use

- 6.1.1 The application site is located within the Central Activities Zone (CAZ) and City Fringe Opportunity Area (OAPF) as designated by the London Plan. The site is also within Priority Employment Area (PEA) as designated by the Council's adopted Core Strategy, and is within the Wenlock Priority Office Area (POA) as designated by the emerging Local Plan. The area surrounding Old Street Roundabout provides particular scope to support London's critical mass of financial and business services and clusters of other economic activity, such as the creative industries within the Borough at the forefront of the Government's 'Tech City' initiative.
- 6.1.2 Core Strategy Policies 16, 17 and 18 and DMLP policies DM14 and DM17 seek to protect employment land and floorspace, as well as promote employment opportunities within the Borough. CS Policy 17 states that in PEAs Business (B1), Hotels (C1) and Non-residential (D1) Institutions will be the preferred uses. New A Class and residential (C3) uses may be acceptable in PEAs, as long as auxiliary to business. DM14 requires applications for redevelopment of employment land to demonstrate that the maximum economically feasible amount of employment land and floorspace is being proposed. DM17 states that proposals to redevelop office floorspace in PEAs and the CAZ must re-provide, and result in an increase of office floorspace compared to the existing amount.
- 6.1.3 Emerging Local Plan policy LP26 states that new development in the borough's Priority Office Areas (as they are now to be named) should maximise employment floorspace. LP27 goes on to seek at least 60% of floorspace within new developments in the Future Shoreditch AAP area (of which the proposal site forms a part) to provide B1 floorspace. LP27 also states that retail, hotel, community, leisure and residential

development in POAs will only be permitted if it: forms part of an employment-led mixed-use scheme; is appropriate to the characteristics and functioning of the site; will not compromise the on-going operations of businesses in the POA; and satisfies the requirements of other relevant employment policies including Policy LP25 (Visitor Accommodation).

- 6.1.4 The proposal would increase the provision of office floorspace at the site from 1,891 sqm to 4,564 sqm. However, overall, the balance of uses within the development would be 41% office floorspace to 59% hotel which falls short of the adopted policy target of 51% office floorspace in PEAs and the emerging target of 60% office floorspace in this POA. Given this shortfall, it has been considered whether the extent of office floorspace to be provided would be the 'maximum economically feasible' amount (as per DM17 of the adopted DMLP and paragraph 8.7 of the emerging Local Plan).
- 6.1.5 In this case, the constraints of the site are such that the provision of office floorspace above the podium level is particularly challenging. The podium itself is constrained by daylight/sunlight considerations relating to the residential uses on the upper floors of its immediate neighbour to the west. This in turn has affected the form of the tower element, which has been sculpted in order to reduce daylight/sunlight impacts to within acceptable levels (discussed further below). The result is a tower with a relatively small floor plate for a scheme of this height.
- 6.1.6 Given the height of the building and the standard lift requirements of an office use, in an office only scenario only 64% of the floorspace on each floor within the tower element would be usable office space. This falls considerably short of the 80% floorplate efficiency recommended in British Council for Offices guidance and would provide only 237sqm usable office floorspace per floor. A report by Allsops has been submitted which claims that floorplates of this size and efficiency would be difficult to let on the open market with the rental levels returned making the development economically unfeasible.
- 6.1.7 The current proposal would provide office uses up to floor 5 (floor 6 in the original submission). Beyond floor 6, additional lifts would be required for office uses on any floors above. Thus, in both an office only and hotel/office scenario, providing office space above floor six is particularly challenging and may make the development economically undeliverable.
- 6.1.8 Officers have carefully considered the information submitted in this regard and explored various layout and design options as part of the pre-app process in order to ascertain if additional office floorspace above floor six could be reasonably provided. Given the particular constraints of this site and the acceptability in townscape and environmental terms of a building of this height and scale (discussed further below), officers are satisfied that the maximum reasonable amount of office floorspace has been

provided. The podium level (including the basement level) and floor five have been optimised to provide the maximum amount of high quality office floorspace including through the provision of a mezzanine at ground floor level.

- 6.1.9 Nevertheless, in order to help offset the shortfall against policy identified above, an affordable workspace provision has been sought which goes beyond policy targets (discussed further below).

Affordable workspace

- 6.1.10 Adopted DMLP policy DM16 seeks 10% of new office floorspace within major developments to be provided as affordable workspace at a discount of at least 20% against market rates. Emerging Local Plan policy LP29 also seeks 10% of new floorspace to be provided as affordable but at a discount of 40% against market rates in this Priority Office Area.
- 6.1.11 The proposal is to provide 14% of the overall office quantum at a discount of 40% against market rates. This exceeds both adopted and emerging policy targets and would result in an affordable workspace provision that is equal to that had 51% of the floorspace in the development been office.
- 6.1.12 This affordable workspace offer is considered to be a key public benefit of the scheme and helps mitigate the shortfall against employment floorspace policy discussed above. It is recommended that the affordable workspace be secured in perpetuity by way of section 106 agreement, including a requirement to submit an affordable workspace statement for approval and ongoing monitoring of rental levels and terms.

Hotel Use

- 6.1.13 DMLP policy DM17 states that hotel uses may be acceptable in PEAs provided that office floorspace have been maximised. Policy DM27 states that the Council will support proposals for hotels, provided that the proposal;
- i. Has a good level of access by public transport;
 - ii. Would not harm the balance and mix of uses in the area, and thus the character and function of the area, and would not result in the loss of general housing, and is fully compatible with surrounding land uses;
 - iii. Would not cause an unacceptable level of disturbance to, or loss of amenity to, occupiers of surrounding premises;
 - iv. Would not lead to an over-concentration of similar uses within the locality;
 - v. Makes adequate provision for servicing, and pick up and set down points for taxis and coaches; and
 - vi. Complies with policy DM17 in relation to proposals in Priority Employment Areas; and

vii. Includes at least 10% wheelchair accessible bedrooms.

- 6.1.14 Emerging LP33 policy LP29 states that new hotels with more than 50 rooms should be located within the Central Activities Zone. It goes on to apply the following criteria for new hotel developments:
- i. Must not result in a total supply (which includes approved schemes not yet built) of visitor accommodation rooms significantly greater than the projected demand for rooms; and
 - ii. Must not harm the balance and mix of uses in the area, and the character and function of the area, and would not result in the loss of general purpose housing or opportunities to provide conventional C3 housing or employment uses in line with policies LP12 Housing Supply and LP26 New Employment Floorspace, and is fully compatible with surrounding land uses; and
 - iii. Must not cause an unacceptable level of disturbance to, or loss of amenity to, occupiers of surrounding premises; and
 - iv. Must not lead to an over-concentration of similar uses within the locality; and
 - v. make adequate provision for servicing, and pick up and set down points for taxis and coaches; and
 - vi. includes at least 10% wheelchair accessible bedrooms.
- 6.1.15 In relation to the need to demonstrate that a new hotel development would not be at the expense of conventional housing, emerging Local Plan policy LP12 (Housing Supply) also states that “proposals involving the provision of other forms of residential accommodation including student housing, visitor accommodation and alternative forms of accommodation will only be permitted where applicants can demonstrate that it is not feasible to deliver C3 residential development on site”.
- 6.1.16 With regard to the demand for a hotel of this size, the most recent council figures in relation to hotel approvals since 2015 show that 794 rooms have been completed in that time, with 1,485 further rooms with planning approval. This gives a total supply of 2,279 rooms since 2015. The GLA’s *Working Paper 88 Projections of demand and supply for visitor accommodation in London to 2050* (2017) identifies Hackney’s need for hotel spaces between 2015 and 2041 as 3,382 additional units. Even when considering pending applications for hotel development without approval (a scheme with 51 rooms is currently pending approval), there is capacity for a further 1,052 hotel rooms before 2041 against GLA projections. It is therefore considered that there is sufficient demand for a 210 room hotel at this site.
- 6.1.17 The proposal site is located in close proximity to Old Street Station and has excellent public transport accessibility (PTAL 6a). The character of the surrounding area, which is a busy urban location with significant pedestrian and vehicle activity throughout the day, is also such that a hotel use would not be out of keeping with its surroundings. Whilst it is

noted that there are a number of other hotel uses in the immediate area, including on the opposite side of East Road and to the west on City Road/Provost Street, the nature of the surrounding context is such that this is not considered to harm the balance and mix of uses in the area or lead to an overconcentration of hotel uses. Provided that the amenity and transport impacts of the hotel can be appropriately mitigated (discussed further below), the site's Central Activities Zone location is considered appropriate for a hotel use. A condition is recommended requiring 10% of the rooms to be provided as wheelchair accessible, in accordance with policy.

6.1.18 With regard to considering the effect of the proposed hotel use against housing supply, a potential residential use in the upper floors of the building was explored at length during the pre-application process and was found to be impractical to deliver at the site. The constraints of the site that lead to the floor plate efficiencies for office uses being compromised above floor six also apply to a potential residential use with a disproportionate amount of the floor area on each floor being occupied by lifts and servicing. The highly constrained nature of the floorplate would lead to approximately 4 units per floor which would prove economically challenging to deliver given the costs associated with developing a building of this size. The resulting development would also not be able to provide a policy compliant mix of unit sizes and the lack of a separate core would make on site affordable housing provision impractical. Allsops report also states that residential units of the kind proposed in this scenario would not generate an adequate return to a developer in this location.

6.1.19 Overall, the proposed hotel use is considered to be in accordance with both adopted and emerging policy. Given the constraints of the site, the current surplus in hotel demand identified and the otherwise acceptable nature of site's location for a hotel use, it is not considered that the hotel would reasonably result in a loss of opportunity to provide conventional C3 housing or employment uses such that this would preclude the granting of planning permission.

6.2 Design, Appearance and Impact upon Heritage Assets

Background

6.2.1 The proposals have been discussed at length at pre-application stage and have been seen twice by Hackney's Design Review Panel (DRP).

6.2.2 The initial DRP (02/09/2019), which was based on a scheme of 107m in height, raised issues with the height of the development and its disconnection from the cluster of tall buildings on City Road. A building of lower height was recommended alongside a number of recommendations in relation to detailed design and materiality.

- 6.2.3 The scheme was presented a second time to DRP with its height unchanged but various design amendments made. Panel members commented that the approach to the brick grid within the version of the scheme presented was too heavy, bland and monolithic and a more consistent architectural language was suggested for the podium. It was recommended that the top of the building should be redesigned more expressively and the overall architecture further refined to be conceptually clearer and more carefully detailed.
- 6.2.4 In response to the second review, the building's architecture has been carefully refined to address the key points. The brick grid has been refined further with more brick and less glass and the tower and podium level have been more closely integrated. Further refinements to the crown have also taken place.
- 6.2.5 Officers also extensively tested the scheme using the 3D modelling tool VU City and, as a result, formed the view that the height of the proposal first submitted for planning approval (108 metres) was unacceptable in townscape terms. Consequently, officers negotiated a 15 metre reduction height to 93 metres in order to ensure that the tower has an acceptable townscape impact.

Demolition

- 6.2.6 The existing 5 storey building dates from the 1970s and comprises horizontal bands of dark grey brick and ribbon windows. The building is considered to have no particular architectural interest or heritage significance and there are no objections to its demolition.

Scale, Height, Form and Massing

- 6.2.7 The City Road area has been identified in recent years as an area that is potentially suitable for tall buildings. The area was first identified as an opportunity area in Hackney's 2005 Tall Buildings Strategy and the emerging Shoreditch Area Action Plan continues to identify the area as potentially suitable for tall buildings. The principle of a tall building on this particular site is therefore considered to be acceptable.
- 6.2.8 A cluster of tall buildings emerged along City Road from 2005 onwards and the proposed building will form part of the City Road cluster, located approximately 30 metres to the south of the site. In order to respect the hierarchy of the cluster and the site's position on a secondary road, the scheme rises to 23 storeys, which is below the height of the tallest buildings; Eagle House (27 storeys) and Atlas House (39 storeys). The proposed development balances the eastern side of the cluster creating a lower shoulder of tall buildings around Atlas House. As such, it reinforces the Atlas Building's position as the focal point of the cluster.

- 6.2.9 The proposed height has been rigorously tested using 3D modelling and is considered to work well in general townscape terms, in terms of the relationship with the existing cluster and in terms of the overall proportions of the building. The proposal does not impact any protected views or viewing corridors.
- 6.2.10 Whilst this building will become the tallest building on East Road, it represents the northern limit of the City Road cluster, as there are no suitable sites further north. The dramatic relationship of the proposed tall building and the much lower, former warehouse buildings to the north therefore defines the edge of the cluster. These types of dramatic scale changes are common with tall buildings and considered acceptable in this context.
- 6.2.11 At the rear of the site, the stepped massing creates a more human scale to the occupants of the adjacent five storey Zeus House.
- 6.2.12 Whilst it is acknowledged that the building heights on both sides of this part of East Road create an overshadowed ground level environment and that this would be added to as a result of the proposed development, given that the proposal is otherwise acceptable in townscape terms and does not give rise to an unacceptable daylight/sunlight impact upon nearby residential uses or pedestrian wind impact (both discussed further below), this is considered to be acceptable in the circumstances. The site is located within a busy urban location which has been identified as appropriate for tall buildings and the proposed building is considered to be of a high standard of design. The proposed highways works at the base of the building, along with the proposed public realm improvements along on East Road (which will be carried out as part of a wider scheme of highways improvements to the street), will help mitigate the ground level impacts of a tall building and are considered to be a key public benefit of the scheme. This is alongside the wider public benefits that the scheme will provide in terms of economic growth, employment generation and affordable workspace.
- 6.2.13 Overall, and on the balance of relevant planning considerations, the proposals are considered acceptable in massing terms.

Architecture, Elevations & Materials

- 6.2.14 The design concept seeks to relate well to the surrounding townscape and consequently, a masonry language, which relates to the existing heritage and recent developments of the area, is proposed for the facade. The building is clearly defined into three sections; ground, tower and crown. All three are unified by robust, gridded elevations. The ground level is defined by double height openings, with a large cut out corner entrance and supporting pillar. The main tower element is a repeating grid of projecting brick piers and glazed openings, which emphasise the building's

verticality. A slight variation in the grid demarcates the office and hotel uses. The subtle crown detail is defined by a double height gridded facade, which hides all of the plant.

- 6.2.15 In terms of materials, the proposed red brick references the existing, former warehouse buildings to the north and the more recent developments to the east. The simple, high quality materials palette is complemented by black metal framed glazing and grey aluminium panelling. As part of the discharge of condition process, it is recommended that a brick slip cladding system be resisted.
- 6.2.16 This robust grid concept and simple palette of materials is considered to be a high quality response that relates well to the local context.

Impact on Heritage Assets

- 6.2.17 Whilst the site is not located in a conservation area or within the immediate setting of a conservation area, the proposals have the potential to affect the setting of a number of heritage assets in the local vicinity. These assets have been identified and an assessment has been made regarding the impact of the proposals on the significance of each asset.

Conservation Areas (Designated Heritage Assets)

Underwood Street (LB Hackney)

- 6.2.18 This conservation area was designated in 1991 and is located approximately 150 metres west of the site. It includes a collection of fine nineteenth century warehouses and other historical buildings. The triangular urban block immediately north of the application site has been identified as a potential extension to the existing Underwood Street Conservation Area. The proposals do not impact the setting of the existing conservation area due to the separation distance and presence of intervening buildings. As such, no harm has been identified.

South Shoreditch (LB Hackney)

- 6.2.19 This conservation area was first designated in 1991 and is located approximately 300 metres south east of the site. It comprises a large area of former warehouses and other buildings associated with the Victorian and early twentieth century furniture trade. The proposals generally do not impact the setting of the conservation area due to the separation distance and presence of intervening buildings. The proposal is visible in views north west along Great Eastern Street. However, the building terminates the view successfully, without dominating, and is seen in the context of other taller buildings such as the Atlas. As such, no harm has been identified.

Regents Canal (LB Hackney)

- 6.2.20 The Regents Canal Conservation Area was first designated in 2007 and later extended in 2011. It is located approximately 450 metres north west of the site at its closest point. The conservation area comprises the linear form of the canal along with its associated basins, warehouses and other historical buildings. The proposals do not impact on the setting of this conservation area, due to the considerable separation distance and presence of intervening buildings. As such, no harm has been identified.

Moorfields (LB Islington)

- 6.2.21 This conservation was first designated in 1990 and is located approximately 60 metres south of the site at its closest point. The area consists of an unusual and impressive collection of late Victorian and Edwardian commercial and institutional buildings fronting City Road. The proposal has limited impact on the setting of this conservation area due to the presence of existing tall buildings within the cluster. Where visible from the edge of the conservation area, the proposed building is seen in the background of much taller buildings such as the Atlas building. As such, no harm has been identified.

Bunhill Fields and Finsbury Square (LB Islington)

- 6.2.22 This conservation area was designated in 1987 and is located approximately 300 metres south of the site at its closest point. The area contains a number of famous and historic buildings and open spaces that possess a special character. The proposals do not affect the setting of this conservation area due to the considerable separation distance and presence of much larger buildings such as the Atlas in the foreground. As such, no harm has been identified.

Statutory Listings (Designated Heritage Assets)

3 Posts at head of steps leading down to Provost Street (on Silbury Street), Grade II

- 6.2.23 Three cast iron gun posts from the early to mid 19th century. They are situated at the top of the steps that lead down to Provost Street, a few metres from the site boundary. These posts will be incorporated in the same location within the proposed public realm improvements scheme. As such, no harm has been identified..

Former Leysian Mission 104-122 City Road, Grade II

- 6.2.24 The Former Leysian Mission building is located just north of Old Street roundabout, approximately 200 metres south of the site. It was built in 1903 with a distinctive red terracotta facade. The proposal has limited

impact on the setting of this asset due to the presence of existing tall buildings within the cluster. Where visible within its setting, the proposed building is seen in the background of much taller buildings such as the Atlas building. As such, no harm has been identified.

London College of Furniture , Grade II

6.2.25 This building is located approximately 200 metres east of the site. The proposed building will be visible from the western elevation of the building. The proposals terminate the view successfully and the building is seen in the context of the taller Atlas building. As such, no harm has been identified.

6.2.26 The proposals will not affect the setting of the below-listed heritage assets, due to separation distance and presence of intervening buildings. As such, no harm has been identified.

- Gunpost near the Junction with City Road (near Britannia Walk), Grade II
- 2 Posts at junction with City Road and Cranwood Street EC1, Grade II
- Church of St John the Baptist Grade II*
- Former LGOC Pitfield Street Depot (entrance building only), Grade II
- 9-67 Shepherdess Walk N16, Grade II

Locally Listed Buildings (Non-Designated Heritage Assets)

The Three Crowns Public House, 8 East Road

6.2.27 This building is a late 19th century public with ornamental glazed green bricks to its base. It is located approximately 100 metres south of the site. The proposals will be visible within the setting of this building. However, this in the context of a variety of much taller buildings, including the 39 storey Atlas Building. As such, no harm has been identified.

Regmar House, East Road

6.2.28 Regmar House is a post war building with a distinctive curved corner. It is located approximately 100 metres north of the site. The proposals will be visible within the setting of this building. However, this is in the context of the wider tall building cluster. As such, no harm has been identified.

6.2.29 The proposals will not affect the setting of the below-listed heritage assets, due to separation distance and presence of intervening buildings. As such, no harm has been identified.

- The Eagle Public House

- 2 Shepherdess Walk
- 13 & 15 Westland Place
- 1 Westland Place

6.2.30 In summary, there is no harm identified to the setting of any heritage asset within the immediate vicinity of the proposals.

Layout & Public Realm

6.2.31 The proposal incorporates a legible layout, with a single, clearly defined corner entrance and lots of active frontage. In terms of public realm, there are significant landscaping and public realm improvement works proposed within the immediate vicinity of the building and on the adjacent Silbury Street. This includes pavement widening and additional tree planting, which is welcomed in this location.

Summary

6.2.32 The proposal site falls within an area identified as potentially suitable for tall buildings as evidenced by the existing tall buildings cluster to the south of the site. The principle of a tall building is acceptable on this site and the 15 metre reduction to the height since first submission has resulted in a building that sits well within the hierarchy of the cluster, relates well generally to the townscape and works well in terms of its overall proportions. There is no harm identified to nearby heritage assets and no impacts on any protected views or viewing corridors. The robust, simple gridded design emphasises the building's verticality and the use of red brick as the principal facing references other buildings in the area, both old and new. The strong, simple concept for this tall building is considered to be a high quality response for this site and will also bring forward a number of landscaping and public realm improvement works. This is subject to the recommended conditions which require the submission of further detail in relation to detailed design and materials.

6.3 Standard of Commercial Accommodation

6.3.1 DMLP policy DM15 relates to new business (Class B1) floorspace and requires such floorspace to be well designed, high quality and incorporate a range of unit sizes and types that are flexible with good natural light, suitable for sub-division and configuration including for occupation by small or independent commercial enterprises. Emerging Local Plan policy LP27 states that new development involving the provision of new office (B1a) floorspace must comprise well designed, high quality buildings and floorspace that is flexible/adaptable to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises.

- 6.3.2 The proposed development provides open plan office space that would be readily adaptable to the needs of different types of occupiers. The upper part of the podium level would be provided with ample natural light from large windows on the north, east and west elevations of the building. Light would be provided to the lower ground floor office space from lightwells set within the ground floor plate and on the western boundary. Access to the office space on the upper floors of the building is from a shared ground floor lobby. This is considered to be an acceptable provision of natural light and the overall design and layout of the office floorspace is considered to be of a high quality and likely to appeal to potential office and affordable workspace occupiers.
- 6.3.3 Given the constraints of the site, the provision of communal outdoor space is particularly challenging. The terraces on the western side of the podium do not lend themselves easily to amenity use and are the main source of green roofs on the development (which have drainage and environmental benefits). As such, and given that significant public realm improvements are proposed at the base of the building, the lack of communal open space as part of the development is considered acceptable.
- 6.3.4 Although there are no set planning standards for hotel accommodation, the proposal would provide hotel rooms that are well laid out and have ample access to light. The lack of amenities/facilities within the hotel is an operational decision on the part of the intended occupier and does not impact upon the quality of the hotel accommodation in planning terms.

6.4 Traffic and Transportation

Surrounding Highways & Transport Network and Accessibility of the Site

- 6.4.1 The Site is located on East Road, which is within a 10 minute walk to Old Street Station. Silbury Street and East Road bound the Site to the north and east respectively. The site is located within walking distances to the Shoreditch area and therefore benefits from numerous amenities and services. The site has a PTAL rating of 6a, meaning that it is considered highly accessible by public transport (on a scale of 1-6b, where 6b is the most accessible).
- 6.4.2 Cyclists also have excellent access to and from the site, with the use of local cycle routes and cycle parking facilities. Cycle Superhighway 1, which links the City of London with Tottenham to the north, is located approximately 350m to the east of the Site on Pitfield Street. Therefore, cyclists travelling from the north or south to the Site can travel via Cycle Superhighway 1 and use Chart Street to travel west to the Site. Quietway 13 (Q13) is also located approximately 550m from the Site, crossing Great Eastern Street.
- 6.4.3 The Site is also well served by London Cycle Hire docking stations, with

nearby docking stations located within a 10 minute walk. East Road is located within Hackney Controlled Parking Zone (CPZ) 'A – Wenlock', which is operational from Monday to Friday 08:30-18:30. The site benefits from multiple car clubs within a 10 minute walk from the site. The nearest permit holder parking bays are within 50m.

- 6.4.4 Also of relevance is the emerging context at the neighbouring development to the south, The Atlas Buildings, which will bring forward a high quality public realm scheme (informally known as the East Road Boulevard scheme [Phase 1]). This will result in the reduction of one carriageway lane along East Road. The aim is to reduce the vehicle-dominant nature of East Road, create a pedestrian-friendly environment by widening the footways and planting new trees, and improve crossing facilities whilst safely accommodating loading and servicing.

Access

- 6.4.5 The proposed development will be accessible to pedestrians and cyclists from both East Road and Silbury Street, providing level access for all users at ground floor level. The main building entrance is located on the corner of Silbury Street and East Road, with the building line setback to allow provision of greater circulation space. Separate level access to on-site cycle parking is provided at the southern end of the East Road frontage, with level access provided via a cycle lift to the cycle stores at basement level 2. Vehicular access into the Site will be closed off, given the zero parking provision of the proposals.

Trip Generation

- 6.4.6 The existing site, known as 'Dial-a-Cab House', is a 5 storey building which provides 1,891sqm GIA of B1 office space and provides an on-site car park for 15-20 cars, accessed via Silbury Street. The applicant has submitted a Transport Assessment (TA), a framework Travel Plan, a Construction Logistics Plan (and Construction management Plan) and a Delivery and Servicing Plan in support of the application.
- 6.4.7 As expected from a site with an excellent PTAL accessibility rating, the proposal is for a car free development, in line with the London Plan and Hackney policies. Provision of two blue badge spaces is to be made on East Road, close to the proposed access point of the new development.

Office - B1 trip generation

- 6.4.8 The total number of trips for the B1 use calculated from TRICS data presented within appendix G of the TA suggests that 1043 daily two-way trips are likely to be generated.

6.4.9 To understand the overall impact of the proposed development on the existing public transport and highways network, assessment of the AM and PM peak hours (08:00 -09:00 and 17:00 – 18:00) trips are considered to be most important. In summary, the proposed trip generation for the B1 use predicts a considerable increase of 164 two-way trips during the peak hours compared to the existing use. Overall vehicle trips are expected to be reduced as a result of the proposed car-free development.

6.4.10 Given the excellent public transport accessibility of the site (PTAL 6a) and access to local amenities, the majority of the anticipated trips are likely to be carried out via sustainable travel modes such as walking, cycling and public transport.

Hotel - C1 trip generation

6.4.11 The total number of trips for the C1 use calculated from TRICS data presented within appendix H of the TA suggests that 1238 daily trips are likely to be generated. Overall, the proposed trip generation for the C1 use predicts an introduction of 204 two-way trips during the peak hours.

6.4.12 The daily estimate for taxi movements is 91 two-way movements with around 10 two-way taxi movements anticipated during peak hours (16:00 -17:00 and 17:00 - 18:00). While the impact of additional taxi movement on the local transport network is acknowledged, the proposed loading bay will be able to accommodate taxi drop off which will help alleviate this impact. In addition, the applicant has agreed to ensure that outgoing guests will be encouraged to use sustainable travel or as a minimum, use an EV taxi. This is to be managed through the Travel Plan for the site.

6.4.13 Overall, while the submitted trip generation assessment for the overall site predicts a relatively significant increase in the overall trips to and from the application site, it is considered that these can be adequately mitigated through the proposed public realm and highways works.

Delivery and Servicing

6.4.14 The proposed development will use a new loading bay on East Road, which will be provided as part of the public realm improvements. A goods lift will provide access to the basement levels and is accessible from East Road.

6.4.15 The proposed loading bay is proposed to be 14.8m in length, which would be able to accommodate two servicing vehicles. The loading bay can also be utilised by taxi drop offs/ pickups. The largest vehicle to serve the development is likely to be a 10m rigid lorry. Subject to the submission and approval of further details of the loading bay by condition, this approach to servicing is considered acceptable.

- 6.4.16 The hotel use is likely to generate 2-3 deliveries per day based on its existing site. Given that there will be no hot kitchen, this reduces the need for additional deliveries. Most of these deliveries are likely to occur between 07:00 and 12:00 due to the nature of the goods being delivered (e.g. food/drink and fresh laundry).
- 6.4.17 The B1 use is likely to generate 10 deliveries per day, which could vary depending on the end user. Deliveries to the B1 use are likely to be by bicycle, small vehicles and/or transit and panel vans, with occasional use of box vans. As part of the Delivery and Servicing Plan for the site, delivery at peak hours (i.e. 08:00-09:00 and 17:00-18:00) will be actively discouraged and the plan monitored as an ongoing initiative.
- 6.4.18 To ensure the arrangements are suitable in the long-term and that trip rates remain within the agreed parameters, a full Delivery and Servicing Plan is recommended by conditioned alongside a monitoring fee of £1,000 to be secured by legal agreement.

Accident Analysis

- 6.4.19 The TA indicates that 434 accidents occurred on the key active travel route from the site to nearby public transport stations. According to Vision Zero, all deaths and serious injuries should be eliminated from London's transport network by 2041.
- 6.4.20 Old Street Roundabout is undergoing reconfiguration as part of TfL plans to make the area more pedestrian and cycle friendly. The proposed East Road public realm scheme would be complementary to this and provide pedestrians and cyclists safer and less vehicle dominated access to the Shoreditch area via Old Street. The current and proposed works aim to reduce the number of conflicts between vulnerable road users and vehicles in the area.

Cycle Parking

- 6.4.21 Hackney Policies DM44, DM45 and DM46 and emerging LP33 policies LP42, LP43, LP44 and LP45 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Provision of adequate cycle parking is deemed necessary to make this development acceptable in transport terms. Separate cycle parking storage has been proposed for both uses, which is supported.
- 6.4.22 The proposed cycle parking is located in the basement and is in line with LBH cycle parking standards. A total of 92 long stay office cycle parking spaces with 10 short-stay office spaces, and 26 long stay hotel cycle parking spaces with 11 short-stay spaces are proposed. A range of cycle parking spaces will be provided including foldable bicycle lockers,

accessible cycle parking space, at-grade cycle spaces and two-tier cycle spaces. This level and manner of provision is supported. Supporting facilities such as changing rooms and showers for staff are also proposed. The proposed drawings show that the hotel staff have a dedicated lift to access cycle parking, which is located adjacent to the loading bay.

- 6.4.23 Short-stay cycle parking is provided on Silbury Street and East Road as part of the public works, which is supported. These facilities would be open to use by visitors of the site as well as the wider public.
- 6.4.24 A condition is recommended which secures the above mentioned number of cycle spaces, including details of layout, foundation, stand type and spacing.

Car Parking

- 6.4.25 In accordance with Hackney Policy DM47, Hackney will expect to see car free developments in most locations where there is high PTAL and where the site is within a controlled parking zone. As such, this car-free approach to the subject proposal is supported. A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge). It is recommended that this be secured via a legal agreement.
- 6.4.26 Two of three existing mix use parking bays on East Road, within 15m of the site, have been earmarked to be converted to blue badge bays to accommodate disabled occupants and visitors who may need to drive as a necessity to the site. Although this number of spaces falls short of policy targets, the site cannot accommodate car parking as Silbury Street is proposed to be pedestrianised, which is in line with draft London Plan T2 (Healthy Streets). It is recommended that a condition be imposed requiring the submission of a Parking Design and Management Plan which will require additional 2 spaces to be identified in the local area that can be converted should the need arise. The need for additional spaces shall be monitored through the Travel Plan.

Travel Plan

- 6.4.27 The submitted draft travel plan aims to promote sustainable travel choices (for example, cycling) as an alternative to single occupancy car journeys that may impact negatively on the environment, congestion and road safety. The applicant will be required to produce separate Travel Plans for both uses, which should establish a long-term management strategy with measurable targets and create a package of measures to encourage sustainable and active travel, with the document being regularly reviewed.
- 6.4.28 It is recommended that the submission and approval of a full Travel Plan prior to the occupation of the development be secured through a legal

agreement alongside a £5000 monitoring contribution for both uses.

Public Realm and Highway work

Highway works (Silbury Street and East Road (site frontage only))

- 6.4.29 Following discussions, during April and May 2020, between Streetscene highway engineers and the agents representing the applicant, there has been an agreement reached on the general approach, design and materiality for Silbury Street highway works. The proposed works to the East Road frontage of the site have been included within the highways contribution rather than as part of the wider public realm works given their importance in servicing the proposed development and mitigating the immediate transport impacts.
- 6.4.30 A detailed cost estimate for the highway works scheme for Silbury Street and East Road (site frontage) is estimated at £229,550. The estimate includes SuDS, street furniture, cycle parking, planting, minor bespoke elements as well as provision of a loading bay.

Public realm works (wider contribution)

- 6.4.31 Further to the highway works mentioned above, £150,000 is to be secured towards the wider public realm scheme informally known as Phase 2 of the East Road Boulevard Scheme. This is considered to be to be a significant public benefit of the scheme and will contribute significantly towards improving the pedestrian experience on East Road, helping to mitigate the canyoning effect caused by the dense urban development on either side of the road.
- 6.4.32 The core principles for the proposed scheme are as follows:
- Low level planting
 - Mature trees planting
 - SuDS treatment
 - Lowered kerb heights
 - Carriageway narrowing on both sides
 - Reinstatement of the carriageway through associated highway works
 - Traffic Management Orders and signage
 - Liaison and discussion with London Buses

These works are also considered to be a key public benefit of the scheme. Silbury Street is currently in a poor state of repair and is susceptible to anti social behaviour. The proposed works will greatly improve the quality of the urban realm on this street and discourage incidences of anti-social behaviour by increasing dwell time on the street. The pocket park and

landscaping on East Road will improve the quality of the pedestrian environment at the base of the building and help mitigate its visual and environmental impacts.

- 6.4.33 An additional £10,000 contribution is sought for provision of an on-street Electric Vehicle Charge Point. This is recommended to be secured via the s106 legal agreement.

Construction Logistics Plan

- 6.4.34 Given the nature of the proposed development, it is recommended that a final construction logistics plan (CLP) and final Construction Management Plan (CMP) are conditioned to mitigate potential negative impacts on the surrounding highway network during the course of construction.

- 6.4.35 The applicant would need to carefully manage any conflict with other construction and highway works schemes in the area at the time of commencement. Based on the submitted draft CMP, the ingress route does not appear to be problematic, as it seems the logical route into the site. The main issues are around egress which would currently conflict with Old Street Roundabout works. The applicant will be advised to work with Islington & TfL's Old Street team to ensure exits are managed effectively. To effectively monitor the final CLP, a monitoring fee of £8,750 is recommended to be secured via the s106 legal agreement.

Summary

- 6.4.36 Based on the above, the proposal is considered acceptable in transport terms.

6.5 Energy and Carbon Emissions

- 6.5.1 The proposed energy strategy is required to follow the following hierarchy in accordance with Hackney and London Plan policies: *Be Lean*: Use less energy, by adopting sustainable design and construction measures; *be Clean*: Supply energy efficiently, in particular by prioritising decentralised energy generation; *Be Green*: Using renewable energy.

- 6.5.2 The applicant has submitted an Energy Statement which has been assessed by the Council's Sustainability Officer. It shows that the development will achieve a 50.6% reduction beyond Building Regulations Part L2A 2013 which is above the DMLP target of achieving 35% reductions beyond baseline Part L, but falls behind the 'zero carbon' target of the draft London Plan and policy LP55 of the new Local Plan. However, subject to a condition requiring further details of the energy system to be used at the development, the proposed CO2 reductions achieved are considered to be acceptable. Further conditions are also sought in relation to Air Source Heat Pumps, future proofing the

development for connection to future district heating networks, air permeability, overheating and biodiverse roofs. The development will also be required to achieve BREEAM 'excellent' with details to be submitted and approved by condition.

- 6.5.3 Subject to the above conditions, the proposal is considered acceptable in terms of sustainability.

6.6 Amenity of Nearby Occupiers

Daylight/Sunlight

- 6.6.1 A daylight/sunlight assessment has been submitted in line with the methodology set out in the BRE report "Site Layout Planning for Daylight and Sunlight – A Good Practice Guide (2011)".
- 6.6.2 When assessing daylight to existing properties, the primary methods of measurement are vertical sky component (VSC); and No Sky Line (NSL).
- 6.6.3 The BRE Report sets out two guidelines for vertical sky component:
- a) If the vertical sky component at the centre of the existing window exceeds 27% with the new development in place, then enough sky light should still be reaching the existing window
 - b) If the vertical sky component within the new development is both less than 27% and less than 0.8 times its former value, then the reduction in daylight will appear noticeable to the occupants and more of the room will appear more dimly lit
- 6.6.4 The BRE Report also gives guidance on the distribution of light in existing buildings, based on the areas of the working plane which can receive direct skylight before and after. If this area is reduced to less than 0.8 times its value before, then the distribution of light in the room is likely to be adversely affected, and more of the room will appear poorly lit. This is referred to as the No Sky Line (NSL) analysis.
- 6.6.5 For sunlight, the primary method of measurement is annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south. If a point at the centre of a window can receive more than one quarter of APSH, including at least 5% of APSH in the winter months, then the room should still receive enough sunlight. If these percentages are not met and the reduction in APSH is more than 20% of its former value, then the loss of sunlight will be noticeable.
- 6.6.6 It is important to note that the BRE guidelines are generally based on a suburban rather than inner urban model and acknowledge that a higher degree of obstruction may be unavoidable in densely developed or historic areas. As such, some flexibility against BRE standards is

appropriate, as suggested in paragraph 1.6 of the BRE guidance.

6.6.7 Based on the methodology set out in BRE guidance, the following residential properties have been identified for daylight/sunlight assessment

- 6-8 Vestry Street
- Zeus House
- 145 City Road (Atlas Building)
- Britannia Building
- Ian Bowater Court

6.6.8 In addition, the IQ Student Accommodation building on East Road has also been identified for assessment, given that this is a use with a reasonable expectation of daylight/sunlight.

8-9 Vestry Street

6.6.9 Of the 34 windows assessed for VSC at this property, 3 either do not have retained VSCs over 27 or experience reductions in excess of 20%. However, two of these windows have reductions that only marginally exceed 20% (23.1% and 21.4% respectively). The third window experiences a reduction of 31% but this window appears to serve a room with a number of other windows which all pass the BRE tests. All four rooms assessed at this property meet BRE guidance in relation to the No Sky Line test. On this basis, the impact of the proposal upon the daylight levels experienced at this building is considered to be within acceptable limits.

6.6.10 8 of the 16 windows assessed for sunlight experience a reduction in sunlight that exceeds BRE guidance. However, these windows serve an internal courtyard with an unusually open aspect to the south and the majority of windows assessed are BRE compliant in the summer months. Given the inner urban context, the impact of the proposal upon the sunlight levels experienced at this building is considered to be within acceptable limits.

Zeus House

6.6.11 This property is situated immediately to the west of the site and has windows a very short distance from its boundary with the application site. In considering such situations, BRE guidance makes reference to “bad neighbour” buildings, when any redevelopment of the adjacent site would result in substantial reductions in daylight/sunlight due to the close proximity of windows to the site’s boundary. In light of this guidance, some flexibility in relation to transgressions against the BRE tests is considered appropriate. It should also be noted that the form of the proposed development has been arrived at in an attempt to minimise

daylight/sunlight impacts as much as possible on this property, with stepped volumes rising away from the western boundary and a tower form sculpted in response to daylight/sunlight considerations.

- 6.6.12 Of the 27 windows assessed for VSC at this property, 22 either do not have retained VSCs over 27% or experience reductions in excess of 20%. Many of those windows that fail the BRE tests have reductions well over 20% with some suffering a reduction of VSC in excess of 60%. However, as mentioned above, the windows in question are all in close proximity to the site boundary and many enjoy existing daylight levels that could be considered unusually high for this type of boundary condition in an inner urban area. In addition, 14 of the 22 windows would serve bedroom windows which are considered less sensitive to a loss of daylight in BRE guidance. The remaining windows serve living/dining rooms but in all but one case, these windows serve rooms with other windows which do not face the proposal site.
- 6.6.13 10 of the 16 rooms assessed for daylight distribution (No Sky Line) were found to experience reductions in excess of 20%. However, 6 of these rooms would retain NSL levels of over 50% which is considered a reasonable provision of daylight given the buildings location with windows close to a boundary in an inner urban area. Given this context, the reductions in daylight distribution experienced are considered to be within acceptable limits.
- 6.6.14 Of the 12 windows assessed for sunlight at this property, 12 fall short of BRE guidance. Of these 12 rooms, 10 are bedrooms where BRE guidance recognises that sunlight is less important. Given the site's orientation and its surrounding context, the majority of windows on it's western elevation already experience low sunlight levels. In light of these considerations, and given the site's 'bad neighbour' status discussed above, the impact of the proposed development upon the sunlight experienced by this building is considered to be within acceptable limits.

145 City Road (Atlas Building)

- 6.6.15 Of the 63 windows assessed for VSC at this property, 2 either do not have retained VSCs over 27% or experience reductions in excess of 20%. Of the two windows which fail the BRE tests, the extent of reduction is only marginally in excess of 20% (25.6% and 25.2% respectively). All 18 rooms assessed for daylight distribution passed the relevant BRE tests. As such, the impact of the proposal upon the daylight of this building is considered to be within acceptable limits.
- 6.6.16 In terms of sunlight, the building does have any windows which face within 90 degrees of due south that would be affected by the development. There would therefore not be an unacceptable impact upon sunlight to this building.

Britannia Building

- 6.6.17 Of the 65 windows assessed for VSC at this property, 13 either do not have retained VSCs over 27% or experience reductions in excess of 20%. Of those 13 windows, 12 experience moderate reductions of between 20-30% with the remaining window experiencing a reduction of 30.1%. All of the windows affected have retained VSC levels in excess of 10, with the majority being in the high teens or low twenties. Given the inner urban nature of the surrounding context and the tight grain of streets in the area, this level of retained daylight is considered to be broadly acceptable. All of the rooms assessed for daylight distribution at this property meet the relevant BRE tests. Overall, the impact of the proposal upon the daylight of this building is considered to be within acceptable limits.
- 6.6.18 In terms of sunlight, 28 of the 43 windows assessed do not meet BRE guidance for annual and winter targets. 12 of those which do not comply with the BRE tests experience transgressions of between 30-40% and the remaining 16 experience transgressions of over 40% annually. While the reduction in sunlight at this building will be noticeable, given the site's orientation and the densely developed nature of the surrounding context, the overall sunlight impacts are considered to be within acceptable limits. This is within the context of a relatively high degree of compliance at this building in relation to daylight.

Ian Bowater Court

- 6.6.19 All of the windows assessed for VSC and the rooms assessed for NSL meet BRE guidance at this building.
- 6.6.20 Of the four windows assessed for sunlight, two experience reductions in excess of BRE guidance. However, these windows already experience low sunlight levels, particularly in winter, so the reduction in sunlight would not be as noticeable. As such, the impact of the proposed development upon the sunlight experienced by this building is considered to be within acceptable limits.

iQ Student Accommodation, East Road

- 6.6.21 Given that this building is not in residential use, it should not be considered as sensitive to daylight/sunlight impacts as a residential use, as per BRE guidance. However, the building's use as student accommodation means that there would be a reasonable expectation of natural light so the daylight/sunlight impacts of the proposed development have been assessed.
- 6.6.22 Of the 182 windows assessed, 177 fall short of BRE guidance in relation to VSC. The majority of the windows affected experience reductions in

excess of 50% which would represent a significant reduction. However, the worst affected windows at this building are located on the lower floors where any redevelopment of the application site that matched the height of the building would result in significant reductions. While the upper floors are also affected, many would have retained VSCs in the mid-high teens or higher (56 of 117 windows above floor 5 would have retained VSCs over 15) which is a relatively good level of daylight in this area. Overall the average retained VSC across the building as a whole would be 9% which, while low, reflects the densely developed nature of the area. It is noted that daylight impacts of the Atlas development to the south (2012/3259) resulted in a similar impact and was considered acceptable.

- 6.6.23 In terms of NSL, 63 of the 155 rooms assessed were found to fall short of the BRE tests. Of those 53 rooms, 24 would continue to have an NSL of over 50% which is considered an acceptable level of daylight in an inner urban area. While the daylight impacts to some rooms in this building would be noticeable, the nature of the surrounding area is such that some reductions are inevitable when redevelopment proposals come forward.
- 6.6.24 Overall, the extent of daylight reductions at this building are broadly acceptable when considered in the round. As mentioned above, the building is not in a residential use and would have a transient population making it less sensitive in daylight terms. All windows on this pass the relevant BRE tests for sunlight.

Overshadowing

- 6.6.25 For shadow assessment, BRE guidance recommends that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21 March. The submitted assessment shows that all nearby amenity spaces that have been identified would meet BRE guidance in terms of overshadowing.

Privacy

- 6.6.26 The residential windows at Zeus House would be most affected by the development in terms of privacy. The office windows on the western elevation of the proposed development would be located at approximately 6.5m from residential windows at their nearest point at first floor level, increasing to approximately 8m at second and third floor level. As discussed in the daylight/sunlight assessment above, the residential windows on the eastern elevation of Zeus House are located a short distance from the site's boundary and, as such, close proximity to these windows would be difficult to avoid in the event of the comprehensive redevelopment of the application site. It is also noted that the proposed use at this level is an office where overlooking impacts are not considered to be as significant as residential uses. However, in order to ensure that the privacy of the occupants of this property is protected, it is

recommended that a condition be attached requiring the submission of a Privacy Mitigation Strategy for the west elevation of the podium to include details of obscured glazing or other methods of safeguarding privacy.

- 6.6.27 Other residential windows located in the vicinity of the site, such as those at the Britannia Building, are considered to be located at such a distance and angle that there would not be an unacceptable impact upon privacy, particularly given the nature of the proposed use.

Increased Sense of Enclosure

- 6.6.28 As discussed above, the proposed development will be located in close proximity to residential windows on the upper floors of Zeus House. While the proposed development will create an increased sense of enclosure to these windows, it should be noted that the main living spaces for each affected unit are served by secondary windows where some degree of open aspect will be retained (or will remain unchanged). As discussed above, the proximity of the windows at Zeus House to the site boundary is also such that some degree of an increased sense of enclosure would be difficult to avoid should the application site be comprehensively redeveloped. Given the extent of the impact, and when considering the number of units affected against the wider public benefits of the scheme, the increased sense of enclosure that would arise at this building is considered to be within acceptable limits. The location of other nearby residential windows in relation to the development and the existing character of the area are such that there is not considered to be an increased sense of enclosure to other residential uses in the area arising from the development.

Amenity impact during construction

- 6.6.29 A draft Construction Management Plan has been submitted in order to propose indicative measures to mitigate the impacts of construction upon neighbouring occupiers. This document has been assessed and is considered acceptable to demonstrate that the temporary environmental impacts arising from the construction of the proposed development can be effectively mitigated. This is subject to a condition requiring the submission of a full Demolition and Construction Management Plan prior to the commencement of development. Regard has been had for the cumulative effects of another large scale construction site in the area, given the number of adjacent sites which have been redeveloped at scale in recent years. However, given the temporary nature of the impact and the long term benefits that would arise from the proposal, this impact is not considered to be reasonable ground to refuse the application.

Noise and Disturbance from Use

- 6.6.30 The noise from plant associated with the use has been assessed in the

submitted Noise Survey. This document has been assessed and is considered acceptable to demonstrate that the noise from plant would not have an unacceptable impact upon neighbouring amenity. This is subject to a condition requiring the plant noise to not exceed background noise.

- 6.6.31 The proposed office and hotel uses are such that it is considered unlikely there would be an unacceptable noise and disturbance impact arising from the development. The office use does not comprise any outdoor amenity areas and the hotel use does not include an ancillary bar or restaurant. The servicing impacts of the proposed uses are discussed above and will be managed by an Delivery Management Plan such that the noise and disturbance that may arise could be effectively mitigated.

6.7 Trees, Landscaping and Biodiversity

Trees and Landscaping

- 6.7.1 There are no trees situated on site nor are there any adjacent street trees. A scheme of landscaping, including tree planting, is to be secured through the s278 works on Silbury Street and East Road. Full details will be approved through discharging of the recommended clauses in the legal agreement related to highways works.

Biodiversity

- 6.7.3 The submitted Preliminary Ecological Assessment (PEA) has found the site to be of low ecological value. A number of mitigation measures and enhancements are suggested to improve biodiversity at the site, including a requirement to provide nesting/ roosting bricks for small birds (including swifts) and bats. It is recommended that a condition be imposed requiring the recommendations in the PEA to be implemented. Subject to such a condition, the proposed development is considered acceptable in terms of biodiversity.

6.8 Other Planning Matters

Microclimate

- 6.8.1 The submitted Microclimate Assessment analyses the wind impacts of the proposed development against the Lawson Comfort Criteria, the established methodology for assessing the wind impacts of tall buildings. The assessment shows that at all but one measurement location, the effect of the proposed development would either be the same or an improvement in the existing wind condition. Of the 116 measurement locations, one location to the south of the site has been found to have an increase in the occurrence of strong winds as a result of the development. However the annual increase against the baseline condition is negligible and does not justify a requirement for wind mitigations measures. Nevertheless, the planting and landscaping proposed at the building's

base as part of the s278 works will help improve the microclimate in the immediate vicinity of the building.

Waste Management

- 6.8.1 The proposed development is considered capable of providing adequate storage of waste, subject to a condition requiring further details.

Land and Air Pollution

- 6.8.2 The council's Land Pollution officer has raised no concern with the proposal subject to conditions.
- 6.8.3 The submitted Air Quality Assessment has been assessed and is considered to be acceptable subject to the conditions requiring the submission of additional information.

Flood Risk/Drainage

- 6.8.4 Policy DM43 requires all development to have regard to flood risk during its lifetime and have regard to the SUDS hierarchy. Policy LP53 states that all developments should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the drainage hierarchy.
- 6.8.5 The Council's Drainage Officer has raised no objection subject to conditions in relation to Sustainable Urban Drainage and Drainage Management. Thames Water have also raised no objection to the proposal subject to informatives.

6.9 Legal Agreement and Community Infrastructure

Legal Agreement

- 6.9.1 Details of likely legal agreement contributions and clauses have been prepared in line with the Council's SPD on Planning Contributions (July 2015), and the relevant regulations (Community Infrastructure Levy Regulations 2010) and the resulting level of contributions and Heads of Terms for the legal Agreement are detailed at Recommendation B below.
- 6.9.2 A contribution of £229,550 should be secured toward s278 Highways works along with £150,000 towards Public Realm works as set out in the transport section above, should be secured. A contribution of £8,750 is also sought towards Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring along with a £1,000 contribution towards Delivery and Servicing Plan monitoring. A £10,000 contribution is also sought for provision of an on-street Electric Vehicle Charge Point. The submission of travel plans should also be secured within the agreement with a £5,000 monitoring fee for both the

hotel and office travel plans. A CPZ exclusion to restrict parking permits for users of the building is also recommended.

- 6.9.3 In addition, the legal agreement should include measures regarding apprentices and local labour during construction and the operational phase as well as a commitment to carry out all works in keeping with the National Considerate Contractor Scheme as per the requirements of the Planning Contributions SPD for a development of this size and nature. The proposal also qualifies for contributions towards training and support for local employment during the construction and operational phase of the development. Based on the formula set out in the Planning Contributions SPD, the Ways into Work contribution for the development would be £53,839.85 for the construction phase and £204,896.01 for the operational phase.
- 6.9.4 The provision of 14% (650sqm GIA) of the office floorspace as affordable workspace should also be secured in the legal agreement in perpetuity at 60% of market rates in the surrounding area. The Affordable Workspace terms should include a requirement for the submission and approval of an Affordable Workspace Statement along with measures to monitor the provision of the workspace moving forward.

Community Infrastructure Levy

- 6.9.5 The Mayor of London has introduced Community Infrastructure Levy to assist with the funding of Crossrail (MCIL 2). In the case of developments within the London Borough of Hackney, CIL is chargeable at a rate of £185 per square metre for office development and £140 per square meter for hotel development. Hackney CIL is applicable to this development, at a rate of £50 per square meter of office floorspace (in the city fringe) and hotels at £80 per square metre (in the city fringe).
- 6.9.6 The proposal involves the demolition of the existing buildings which have been in their lawful use continuously for 6 of the last 36 months. The proposed development would create a net additional floorspace of 9,210sqm. As such, the development is liable for both Local CIL and Mayoral CIL for the net increase in gross internal floorspace proposed. The Hackney and Mayoral CIL liability for the development are calculated below in line with Regulation 40 of the CIL Regulations 2010 (as amended). Please note Indexation, based on BCIS data published 'from time to time' by the Royal Institute of Chartered Surveyors (RICS), is subject to change; any changed indexation figure will lead to a change to the CIL chargeable amount meaning a new Liability Notice, indicating the changed chargeable amount, will be issued.

LBH CIL

Office: £244,152.07

Hotel: £559,515.77

Total: £803,667.84 (including indexation)

Mayoral CIL

Office: £702,615.39

Hotel: £761,563.13

Total: £1,464,178.52 (including indexation)

7 Conclusion

- 7.1 The proposal complies with pertinent policies in the Hackney Local Development Framework Core Strategy (2010), Development Management Local Plan (July 2015) the emerging Local Plan LP33, and the London Plan (2016), and the granting of full planning permission is recommended subject to conditions and the completion of a legal agreement.

8. RECOMMENDATION

Recommendation A

8.1.1 That Full Planning Permission for application 2019/3936 be approved subject to the following conditions and referral to the GLA:

8.1.2 SCB0 – Development in accordance with plans

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

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

8.1.3 SCB1 - Commencement within three years

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

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

8.1.4 Details to be approved

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (excluding demolition). The development shall not be carried out otherwise than in accordance with the details thus approved.

- 1) Samples of all external materials.
- 2) A 1:1 Mock Up of a typical part of the gridded, brick facade shall be built on site for inspection. The Mock Up should show how the proposed materials and brick grid system fit together
- 3) Typical window and door details at 1:20
- 4) Details of brick grid system

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

8.1.5 BREEAM

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and

approved in writing by the Local Planning Authority within 12 weeks of the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming an 'Excellent' rating (or another scheme target of equivalent or better environmental performance) has been achieved.

REASON: To ensure the development meets the sustainability requirements of the London Plan.

8.1.6 Air Permeability Testing

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A full air permeability test report confirming the development has achieved an average air permeability of $5\text{m}^3/\text{hr}/\text{m}^2@50\text{pa}$

REASON: In the interests of the promotion of sustainable forms of development and construction.

8.1.8 Future Proofing Connections

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Full detailed specification and layout of the main plant room confirming the location of the connection points to connect the development to a future district heating network

REASON: In the interests of the promotion of sustainable forms of development and construction.

8.1.9 Plant Design and Specification

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A study and justification of the energy strategy according to the system hierarchy as indicated in the GLA guidance for energy assessments; correspondence and viability assessing the opportunity to connect to nearby networks, to act as an energy centre to satisfy the development's demand and capacity for possible expansion to anchor nearby developments;
- any energy system to be adopted shall be future proof to be able to connect to nearby networks if that is not possible in the near future;
- where applicable, full specification for the heating, cooling and hot water system, plant room layout and sizing, provision of thermal stores, estimated monthly detail profiles and assumptions used in the energy modelling and specification;
- clarification as to how the ASHP for DWH will operate alongside heating and cooling or any other technologies being specified for the development;
- details of the Seasonal Coefficient of Performance (SCoP) and Seasonal Energy Efficiency ratio (SEER);
- full details of location of the condenser units from the VRF systems (or any other fixed plant adopted) and noise solutions to mitigate impact for nearby sensitive receptors;
- information about refrigerants that are required to have a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)
- commitment to monitor the performance of the energy system post-construction, to ensure the expected performance approved is achieved.

REASON: In the interests of the promotion of sustainable forms of development and construction.

8.1.10 Plant ASPH

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- Commissioning details for the ASHP indicating that the heating and cooling efficiency of the FCU at the hotel has a SCoP of 5.26 and a SEER of 4.98 or any other identified as part of condition 8.1.9 above.

REASON: In the interests of the promotion of sustainable forms of development and construction.

8.1.11 Overheating

Notwithstanding the details shown on the plans and documents hereby

approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- An assessment of the risk of overheating should be undertaken with dynamic simulation for a defined system capacity, and following methodology indicated in the Energy Assessment Guidance Greater London Authority guidance on preparing the energy assessments (2018), based on CIBSE TM52:2013 and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. The assessment shall include strategies proposed to mitigate any overheating identified.

REASON: In the interests of the promotion of sustainable forms of development and construction.

8.1.12 No new pipes and plumbing

No new plumbing, pipes, soil stacks, flues, vents grilles, security alarms or ductwork shall be fixed on the external faces of the building unless as otherwise 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.

8.1.13 Contaminated Land: Risk Assessment

No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include: a survey of the extent, scale and nature of contamination; the potential risks to: human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; and archaeological sites and ancient monuments.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

8.1.14 Contaminated Land: Remediation Scheme

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

8.1.15 Contaminated Land: Implementation of Remediation Scheme

The approved remediation scheme shall be carried out [and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority] before the development [or relevant phase of development] is occupied.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

8.1.16 Reporting unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

REASON: To protect the end user(s) of the development, any adjacent land user(s) and the environment from contamination.

8.1.17 Air Quality – Operational Phase

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Details of independent air source electric heat pumps including low temperature hot water boilers powered by the heat pumps;
- b) An assessment of any changes in pollution levels at height / receptor locations around the site and details of mitigation to protect future occupiers from existing poor air quality.

REASON: To protect air quality and people's health by ensuring that the production of air pollutants, such as nitrogen dioxide and particulate matter, are kept to a minimum during the course of building works and during the lifetime of the development. To contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

8.1.18 Restriction of noise from plant and equipment

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB (A) below the pre-existing background level at any residential window.

REASON: To safeguard the amenity of nearby premises and the area generally

8.1.19 Privacy Mitigation Strategy

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- o Details of obscured glazing, privacy screens and/or planting to mitigate overlooking of nearby uses from the windows on the west elevation at ground to fourth floor level.

REASON: To ensure that the development will not have an adverse privacy impact upon the amenity of nearby uses.

8.1.20 Demolition and Construction Management Plan

Notwithstanding the documents hereby approved, no development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below only has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the details and measures approved as part of the demolition and construction management plan, which shall be maintained throughout the entire construction period. The plan must include:

- a) A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A Dust Management Plan to control dust emissions during demolition and construction;
- c) Details of compliance with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery' in relation to Only Non Road Mobile Machinery or used at the development site during the demolition and construction process along with details that all NRMM are entered on the Non Road Mobile Machinery online register at <https://nrmm.london/user-nrmm/register> before being operated. Where Non-Road Mobile Machinery, which does not comply with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery', is present on site all development work will stop until it has been removed from site.
- d) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means.
- e) Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing; details of parking suspensions (if required) for the duration of construction.
- f) A liaison strategy between the applicant and the adjacent school in relation to the construction programme and means of mitigating the environmental impacts of construction.

REASON: To avoid hazard and obstruction being caused to users of the public highway, in the interest of public safety and amenity, in order to prevent the construction of the development having an unacceptable

environmental impact upon neighbouring properties and to protect air quality, human health and to contribute to National Air Quality Objectives.

8.1.21 Delivery and Servicing Plan

The development hereby approved shall not be occupied until a detailed Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. Delivery and Servicing to the site shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety and amenity.

8.1.22 Cycle Parking

Notwithstanding the details shown on the approved plans, full details of cycle parking for 92 long stay and 10 short stay spaces serving the office component of the development and 26 long stay and 11 short stay space serving the hotel component shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development unless otherwise agreed in writing. Details should include the layouts, foundations, stand-types and spacing.

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.

8.1.23 Ecology Management Plan

The enhancements recommended in the approved Ecology Report, including the provision of nesting boxes/bricks for small birds/bats, shall be implemented in full prior to the occupation of the development and retained at the development thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order improve ecology and biodiversity of the site.

8.1.25 Waste Strategy

Prior to occupation of the development hereby approved, a refuse strategy shall be submitted to and approved in writing by the Local Planning Authority. Refuse collection shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is satisfactorily served in terms of refuse collection and safeguard against the build-up of pollution.

8.1.26 Roof plant

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof unless otherwise agreed in writing by the Local Planning Authority.

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.

8.1.27 Obstruction of footways

No doors or gates shall be erected in a way that enables them to be opened over or across the adjoining footways, carriageways and rights of way.

REASON: In the interests of public safety and to prevent obstruction of the public highway.

8.1.28 Written Scheme of Investigation

No demolition to ground level or below or development requiring a new foundation scheme at ground level or below shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: To safeguard and protect archaeological remains.

8.1.27 Sustainable Drainage

Notwithstanding the details shown on the plans and documents hereby

approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development (other than works of demolition). The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Construction details and specifications, including cross-sections, of the surface water attenuation system and green roofs
- b) Details of how the attenuation tank will be waterproofed and how areas and equipment situated under the tank will be protected in case of failure

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

8.1.28 Groundwater Site Investigation

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) An intrusive groundwater site investigation to confirm that the proposed development will have minimal impact on neighbouring sites including details of any proposed mitigation (where necessary).

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

8.1.29 Flood Resilience

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA prior to the commencement of the development (other than works of demolition). The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the basement against groundwater flood risk).

The scheme shall be carried out in its entirety before the basement is occupied and; constructed and completed in accordance with the approved plans in line with BS 8102:2009 code of practice for "protection of below ground structures against water from the ground".

REASON: In order to provide an adequate provision for Sustainable Urban

Drainage.

8.1.29 Car Park Design and Management Plan

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A Car Park Design and Management Plan which identifies potential spaces on Curtain road that could be converted to blue badge spaces

REASON: In order to ensure that there is an adequate provision of disabled persons car parking spaces.

8.1.29 Wheelchair Accessibility

10% of the rooms in the hotel hereby approved shall be provided as wheelchair accessible.

REASON: In order to ensure the development is adequately accessible.

8.1.30 Hotel Use

The proposal will provide a hotel use with no more than 210 hotel rooms.

REASON: In order to control the extent of the development.

8.2. Recommendation B

8.2.1 That the above recommendations be subject to the applicant, the landowners and their mortgagees enter into a legal agreement in order to secure the following matters to the satisfaction to the satisfaction of Head of Planning and Interim Director of Legal Services

Highways and Transportation

- £229,500 s278 Highways Contributions
- £150,000 towards Public Realm Works in the vicinity of the site.
- Travel Plan (and monitoring fee of £10,000)
- Car Free Agreement
- £8,750 towards Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring.
- £10,000 towards the provision of an on-street Electric Vehicle Charge Point.

Ways into Work Contribution

- A ways into work contribution of £53,839.85 for the construction phase and £204,896.01 for the operational phase payable prior to the implementation of the development.

Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council;
- Commitment to the Council's local labour and construction initiatives (30% on site employment and 30% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period
- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Considerate Contractor Scheme – the applicant to carry out all

works in keeping with the National Considerate Contractor Scheme.

Affordable Workspace

- The provision of 14% (650sqm GIA) of the office floorspace as affordable workspace should also be secured in the legal agreement in perpetuity at 60% of market rates in the surrounding area.
- Submission and approval of Affordable Workspace Statement along with measures to monitor the provision of the workspace moving forward.

Costs

- 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 legal agreement, payable prior to completion of the agreement.
- S106 Monitoring costs payable prior to completion of the development.

8.3 Recommendation C

8.3.1 The Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions and/or Heads of Terms of the legal agreement as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee)

9 INFORMATIVES

In addition the following informatives should be added:

SI.2 Work Affecting Public Highway

SI.3 Sanitary, Ventilation and Drainage Arrangements

SI.6 Control of Pollution (Clean Air, Noise, etc.)

SI.25 Disabled Person's Provisions

SI.27 Fire Precautions Act

SI.28 Refuse Storage and Disposal Arrangements

SI.34 Landscaping

SI.45 The Construction (Design & Management) Regulations 1994

SI.48 Soundproofing

NSI Advertisements shown need advert consent

NSI Prior consent for construction from the Local Authority.

NSI A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200..

NSI With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into

the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

NSI We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

NSI It is therefore recommended that flood resilience and/or resistance constructions are used for the basement to reduce the risk of groundwater ingress. Refer to the guidance document 'Improving the Flood Performance of New Buildings Flood Resilient Construction, 2007' by Department for Communities and Local Government for further guidance.

Signed..... **Date**.....

ALED RICHARDS – DIRECTOR – PUBLIC REALM, NEIGHBOURHOODS AND HOUSING

NO	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Hackney Local Development Framework Core	2 Hillman Street London E8 1FB	Barry Coughlan 2 Hillman Street

 **Planning Sub-Committee – 01/07/2020**

	Strategy (2010) and the London Plan (Consolidated with alterations since 2004)		London E8 1FB Tel: 02083567939
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