

LONDON BOROUGH OF HACKNEY

PLANNING SUB-COMMITTEE
01 July 2020

ADDENDUM SHEET

ITEM 5: New Era Estate, land Bound by Orsman Road Halcombe Street Phillip Street and Whitmore Road

A written statement has been submitted by Cllr Kam Adams, Cllr for Hoxton East and Shoreditch and Speaker of Hackney:

“Having been a councillor for Hoxton East & Shoreditch Ward since May 2014 and having lived on the Colville Estate for over 30 years I am very familiar with the New Era Estate. Having visited the estate and residents living on the estate many times, I can confirm it was home to a number of large family groups, the caretaker manager never advertised vacant flats to the general public any new lettings were advertised through word of mouth so the estate was full of the children that were born and grew up on the estate, relatives and friends. The estate was affordable as the landlord held rent at about 50% of the market rate. However, the residents were responsible for repairs, installing their own kitchens and bathrooms in return for cheap rents. Rents were paid in envelopes through the post box of the caretaker’s office.

In 2014, shortly after being elected as ward councillor, I became aware of the concerns that the residents on the estate had about their new landlord, Private Equity firm Westbrook who bought the estate from Robert Lever. They announced their intention to increase rents by 10%, which the residents said they couldn’t afford and faced the prospect of being made homeless within months.

Since Dolphin acquired the New Era estate in 2014 they have worked with residents to secure the future of the estate. From August 2017, when they first raised with residents, the possibility of rebuilding the estate, Dolphin have kept me informed of their plans. They have invited me to the 4 resident drop-in sessions and shared resident newsletters with me.

I raised the following matters with Dolphin: Affordable rent on the estate, which they responded by introducing personalised rent whereby households would pay according to their income with the majority of increases at CPI 1% and put a cap on rent increases at CPI plus 4.5%

During this time the feedback I have received from residents of the estate has been positive and residents were generally happy and said that the new rent arrangement has worked well for the estate. I have also been contacted by other constituents about the rebuild regarding what would happen to their rent and to the resident while the estate is demolished. They also raised the issue of the cost of moving.

I raised these matters with Dolphin and they listened and addressed these concerns by promising the residents that they will be offered a new home while the estate is being

rebuilt and residents will pay no more rent than they would have paid had the estate not been rebuilt, they also promised to offer the residents somewhere to live while the estate is being rebuilt and residents will be reimbursed for the cost of moving.

I am in support of the rebuilding of the estate because it will:

- Increase the number of homes to rent in the local area
- Provide affordable housing into perpetuity
- Deliver high-quality homes to the existing community
- Keep the existing community together and increase accessibility for residents
- Provide both shared and private amenity spaces for residents”.

6.2.4 Omit the word “duplex”.

6.2.22 Replace “level 5” with “level 6”.

6.6.3 Replace “(1 in Orsman Road, 1 in Halcomb Street and 1 in Philip St)” to “(1 in Orsman Road, 2 in Halcomb Street and 1 in Philip St)”.

6.6.5 Replace “£200,000 monitoring fee” with “£2,000 monitoring fee”.

ITEM 6: 39 - 47 East Road

Approved Plans

The following document should be added to the approved plans:

- Area Schedule dated 19/06/2020

4.6 Neighbours

4 additional consultation responses have been received from nearby residents. The issues raised can be summarised as follows:

- Daylight/sunlight impacts of the development
- Inappropriate height in this location
- Pedestrian and highways impacts of the development
- Privacy impacts
- Will prevent servicing of commercial building to north from Silbury Street. (OFFICER NOTE: There is currently no servicing allowed from Silbury St so restriction of vehicular access on this street should not impact servicing of nearby commercial units).
- Wind impacts
- Impact on local parking
- Impact on the views from nearby residential buildings (OFFICER NOTE: This is not a material planning consideration).
- Amenity Impacts of hotel use.
- Environmental impacts of another large construction project in the area.

The issues raised above are considered to have been addressed in the officer report unless otherwise noted above.

4.7 Local Groups / Other Consultees

The following additional consultation response has been received:

Shoreditch Conservation Area Advisory Committee

Objection. Although the site is outside the conservation area, it is close enough (two streets away from the Underwood CA) for concern that the overbearing scale, height and massing of this project will have a detrimental impact on the area. Although there are towers close to the Old Street roundabout, this proposal extends the cluster further up East Road, creating a strip of tall buildings, with a wind tunnel effect. Context for the proposal should take into account the low brick buildings in the block immediately adjacent to the East.

OFFICER NOTE: The issues raised above are considered to have been addressed in the report.

Amendments

All amendments shown in italics

The following amendments should be made to section 6:

6.1 The Principle of the Use

At 6.1.1 the word 'net' should be added after the reference to the GLA hotel targets. The full sentence should read as follows:

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 (*net*).

6.4 Traffic and Transportation

Paragraph 6.4.26 should be amended to read as follows:

- 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.

6.6 Amenity of Nearby Occupiers

Paragraphs 6.6.12 and 6.6.28 should be amended to read as follows:

- 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 *three* cases, these windows serve rooms with other windows which do not face the proposal site.
- 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 *three of nine* main living spaces affected 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.

8. RECOMMENDATION

The wording of the following conditions should be amended:

8.1.8 Future Proofing Connections to District Heating Network

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.

- Full detailed specification and layout of the main plant room confirming the location of *the potential connection points to demonstrate how the development* could be adapted to connect 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 (excluding demolition). The development shall not be carried out otherwise than in accordance with the details thus approved.

1. *A study and justification of the energy strategy according to the system hierarchy as indicated in the GLA guidance for energy assessments;*
2. *Evidence assessing the viability of connection to nearby district heating networks. This should include further investigation of the potential for connection with relevant stakeholders (including Shoreditch, Bunhill and TFL) and to submit further details to demonstrate any constraints or otherwise associated with connecting; to act as an energy centre to satisfy the development's demand;*
3. *Any energy system to be adopted shall be future proofed to have the potential to connect to nearby district heating networks.*
4. clarification as to how the ASHP for DWH will operate alongside heating and cooling or any other technologies being specified for the development;
5. details of the Seasonal Coefficient of Performance (SCoP) and Seasonal Energy Efficiency ratio (SEER);
6. 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;
7. information about refrigerants that are required to have a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP)
8. 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 ASHP

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.

- *Confirmation of installation and commissioning reports associated with the energy systems approved in the last energy report.*

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

8.1.13 Contaminated Land: Risk Assessment

No development shall commence (*excluding demolition*) 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 (*excluding demolition*) 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.

8.1.28 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 (*excluding demolition*). 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.

The following condition should be removed:

~~8.1.29 Gar 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.~~

The following condition should be added:

8.1.31 Piling

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works will be in close proximity to underground water utility infrastructure.

8.2. Recommendation B

The following additional contribution should be added to Recommendation B:

Highways and Transportation

- £1,000 towards Delivery and Servicing Management Plan monitoring

ITEM 7: Finn House (Western Block) Bevenden Street London N1 6BL

Additional information from an objector was sent to Governance Services for circulation to members. The objection is as follows

- Previous planning permissions have restricted to four storeys on Bevenden Road
- Play space is not provided (Officer's note: Child yield for the development using the GLA's calculator is about 1.5 children. Developments under 10 children are not required to provide playspace)
- Accessibility - a lift hasn't been provided
- Waste collection - bins to the rear
- Private amenity space is undersized
- Affordable housing isn't provided
- Noise transmission issues
- Landscaping and biodiversity issues due to loss of trees

- Waste management company has changed (Officer's note: Details of the refuse management strategy are reserved by condition)
- Daylight impacts on ground floor flats have not been addressed (Officer's note: Details of the bin store will be reserved by condition. The bin stores, by reason of their proximity to the residential windows, are not considered to adversely affect the daylight and sunlight of the residential occupiers. It should also be noted there is an existing hedge located between the closest affected windows and refuse area that will be retained.
- Heritage report states that the height will have a minimal impact on streetscene
- The development is contrary to policy on design and guidance on quality

Officer's note: The issues raised above have been addressed in the officer's report unless otherwise noted.

6. Recommendations

6.1.11 Waste/Recycling collection

Remove text of condition 6.1.11 and replace with the following:

Notwithstanding the details in **Planning Addendum V2 dated June 2020** and **Letter from Pier Management Limited to Jamie Milne dated 16 October 2019 ref.**

DH/FINNHSE01-33, details of a refuse management plan shall be submitted and approved in writing by the Local Planning Authority prior to occupation of the development. The plan shall cover the following:

- Cleaning and waste removal including arrangements for refuse to be presented to the kerbside for collection and returned to the site the same day;
- The organisation that will be contracted;
- Contact details for any complaints;
- Monitoring and review of operations.

The refuse management plan shall be implemented, and the site shall be managed in accordance with the approved plan for the life of the development.

REASON: In the interests of providing adequate waste and recycling facilities.

Signed.....

Date.....

ALED RICHARDS
Director, Public Realm