

Minutes of a meeting of the Planning Sub-Committee

Thursday, 23rd April, 2020

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| Councillors Present: | Councillor Vincent Stops in the Chair |
| | Cllr Katie Hanson, Cllr Susan Fajana-Thomas, Cllr Michael Levy, Cllr Clare Joseph, Cllr Peter Snell, Cllr Clare Potter and Cllr Steve Race |
| Apologies | Cllr Brian Bell |
| Officers in Attendance | Natalie Broughton, Acting Head of Planning and Building Control Rob Brew, Major Applications Manager Graham Callam, Growth Team Manager Barry Coughlan, Major Projects Planner Cate Downes, Service Support Lead (ICT) Luciana Grave, Conservation, Urban Design and Sustainability (CUDS) Manager Clifford Hart, Senior Governance Services Officer Louise Humphreys, Interim Head of Legal and Governance, Deputy Monitoring Officer Nick Jacobs, Landscape Officer Peter Kelly, Senior Urban Designer Mario Kahraman, ICT Support Analyst Tess Merrett, Governance Services Manager Tom Mouritz, Planning Legal Officer Philippa Newis, Senior Delivery Manager (ICT) Matt Payne, Conservation and Design Officer Qasim Shafi, Principal Transport Planner Catherine Slade, Major Projects Planner |

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| | <p>Christine Stephenson, Acting Senior Legal Officer</p> <p>Gareth Sykes, Governance Services Officer</p> <p>John Tsang, Development Management & Enforcement Manager</p> |
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1 Apologies for Absence

Apologies for absence were received from Councillor Bell.

2 Declarations of Interest

None.

3 Consider any proposal/questions referred to the sub-committee by the Council's Monitoring Officer

None.

4 Minutes of the Previous Meeting

RESOLVED, the 4th March 2020 and 5th February 2020 minutes of the Planning Sub-Committee meetings were AGREED.

5 2019/4259 Former Hackney Police Station 2 Lower Clapton Road and 32 St John's Church Road and adjacent land within St Johns Churchyard London E5 0PD

5.1 PROPOSAL: Minor Material Amendment application to vary condition 30 (staggered occupation) attached to planning permission 2015/3306 dated 19/12/2017 in order to allow 180 pupils to be admitted in the first year rather than 90.

5.2 POST-SUBMISSION AMENDMENTS: N/A

5.3 The Planning Service's Major Projects Planner introduced the application. During the presentation reference was made to an inaccuracy in the addendum which was verbally corrected by the officer.. This was noted by Planning Sub-Committee members. . The wording of of condition 30 in the addendum was corrected to read as follows:

Condition 30

The school shall admit no more than 180 pupils in its first year of occupation. Thereafter, the school roll shall increase by no more than 90 pupils per year until the full capacity of 630 pupils is reached. At no time shall the school admit more than 630 pupils.

The addendum then made the following corrections/additions/clarifications:

Clarification

3.2-3 The development description for applications 2015/3306 and 2015/3316 makes reference to the creation of a layby in St John's Church gardens. This aspect of the proposal was effectively removed by the inspector's decision.

Neighbour Consultation Responses

One additional consultation response has been received from an objector who has already made a representation to the application (paragraph 4.5). The objector highlights figures within the Transport Statement which sets out the postcodes of school pupils. This relates to concerns raised in their initial response about the catchment area of the school and enrolment policy.

OFFICER COMMENT: This issue is considered to have been addressed in the Officer Report.

Corrections

6.1.10 The reception year pupils that were due to start in 2019/2020 will be accommodated for their first year at the school's temporary site at Cazenove Road, not Brooke Road as stated.

Addition

Paragraph 6.4.4 should be amended to read as follows (addition in italics): 6.4.4 The draft Travel Plan is noted. The Council's assessment of the Final Travel Plan (FTP) will include analysis of the revised catchment area for the 90 pupils that started school in 2019/20 at the temporary site and with travel arrangements altered accordingly. The assessment of the FTP will also consider the suitability and impact of the staggered start-finish times between sites as well as the different year groups at the Lower Clapton Road site and will consider actual data in relation to pupil postcodes for the pupils transferring to the site from Cazenove Road. Condition 12 attached to the original permission should remain in place, requiring the travel plan to be agreed with the Local Authority prior to the occupation of the site.

Conditions

Some conditions were mistakenly omitted from the Officer Report. For clarity, the full list of conditions is repeated below. Any details already approved to discharge the below conditions will be listed on the decision notice for the current application, should it be approved.

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

8.2 The development hereby permitted shall be carried out and completed in accordance with the plans listed in the attached Annex C and any subsequent approval of details.

8.3 Notwithstanding the approved drawings, details of the following matters shall be submitted to and approved in writing by the local planning authority before any work in relation to these matters takes place. Development shall be carried out in

accordance with the approved details. • air handling plant and louvres on roofs, including 1:20 scale plans, sections and elevations showing the relationship of the new elements to the historic fabric • the new entrance through the western boundary wall, including 1:20 scale plans, sections and elevations showing the relationship of the new elements with the historic fabric • new and replacement windows, including 1:20 scale elevations showing glazing patterns and 1:10 scale sections showing glazing and joinery details

8.4 Notwithstanding the approved drawings, details of the materials to be used for the external surfaces of the proposed buildings shall be submitted to and approved in writing by the local planning authority before any work on the external elements of the buildings takes place. The details shall include samples of facing bricks and roofing materials. Development shall be carried out in accordance with the approved details.

8.5 Prior to occupation of the development hereby approved, a school management plan shall be submitted to and approved in writing by the local planning authority. The approved management plan shall be adhered to for so long as the premises are operated as a school. The plan shall include details of the following matters. • management of external play areas including details of staggered play times and pupil numbers • management of rooftop study area • management of extra-curricular and physical education including travel to off-site locations 2 • management of children arriving and leaving school including the use of entrances and provision of traffic marshals • use of school outside teaching hours

8.6 Prior to occupation of the development hereby approved, details of planting to be incorporated on the rooftop study area and semi-permeable screening to circulation areas shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.

8.7 Notwithstanding the approved drawings, a full post construction BRE certification confirming that the refurbished element of the development has achieved a BREEAM rating of Very Good with a minimum score of 62 points and that the new construction element has achieved a BREEAM rating of Excellent shall be submitted to and approved in writing by the local planning authority within 6 weeks of the first occupation of the development hereby approved.

8.8 Prior to occupation of the development hereby approved, specification and layout details of the proposed photovoltaic panels shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.

8.9 Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. Development shall be carried out in accordance with the approved details and permanently retained as such thereafter. • low NOx emitting combined heat and power and emergency generator plant (referred to hereafter as plant) • performance data including emissions standards and technical data for each piece of plant. The data shall demonstrate that the plant is low NOx in relation to air quality standards and other similar plant available on the market. The

plant installed shall meet or improve upon the approved emissions standards and technical data • details of the plant installed (including measured emissions) and details of any emissions mitigation equipment installed

8.10 No new plumbing, pipes, soil stacks, flues, vents, grilles, security alarms or ductwork shall be fixed on the external faces of the buildings unless as otherwise shown on the drawings hereby approved.

8.11 Prior to occupation of the development hereby approved, a refuse strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include the use of a commercial waste management company. Thereafter, refuse collection shall only be carried out in accordance with the approved strategy.

8.12 Prior to occupation of the development hereby approved, a school travel plan shall be submitted to and approved in writing by the local planning authority. The school travel plan shall include measures to discourage the use of private cars and to encourage the use of sustainable modes of transport. Baseline travel surveys of staff and pupils will be undertaken within 3 months of the school opening and the full travel plan will be operational within 6 months of the school opening. The school travel plan shall seek to achieve TfL Mode STARS Gold Accreditation in the 4th year of operation. The site shall be operated in accordance with the approved school travel plan at all times

8.13 Prior to occupation of the development hereby approved, details of the means of mechanical ventilation and the extraction and dispersal of cooking smells/fumes shall be submitted to and approved in writing by the local planning authority. The details shall include the method of construction and odour and noise control. The details shall be implemented as approved prior to the occupation of the development and shall be permanently retained as such thereafter.

8.14 No roof plant, including any external enclosures, machinery or other installations, shall be placed on or attached to the roof of the development unless shown on the drawings hereby approved or otherwise approved pursuant to the conditions imposed on this permission.

8.15 No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting and shall include: • a demolition and construction method statement to include details of noise control measures and measures to preserve air quality, including a risk assessment of the demolition and construction phase • a plan setting out how resources will be managed and waste will be controlled at all stages during the construction phase, including 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) and the location of any mobile plant or machinery • details of the locations 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) and the duration of construction • mitigation measures (as defined in BS 5228: Parts 1 and 2: 2009 Annex F Noise and Vibration Control on Construction and Open Sites) which shall be used to estimate LAeq levels and minimise noise disturbance from demolition and construction works •

procedures for maintaining good public relations including complaint management, public consultation and liaison • arrangements for liaison with the Council's Community Safety Team • any works or ancillary operations which are audible at the site boundary shall be carried out only between 08.00 and 18.00 on Mondays to Fridays, 08.00 and 13.00 on Saturdays and at no time on Sundays and Bank Holidays • deliveries and/or removal of materials, plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above • procedures for emergency deviation from the agreed working hours The approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

8.16 No development above ground shall take place until a scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include: • planting plans showing the location, species, type of stock, numbers of trees/plants, tree pits and areas to be seeded or turfed • external lighting including location and types of light fitting • play areas and play equipment The hard landscaping shall be carried out as approved prior to the occupation of the development. The soft landscaping shall be carried out as approved within 12 months of the commencement of the development or in the first planting season following completion of the development. Any plants forming part of the approved scheme which die or are seriously damaged or diseased or are removed within a period of 5 years of being planted shall be replaced with others of the same size and species unless otherwise agreed in writing by the local planning authority.

8.17 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 approved Delivery and Servicing Management Plan.

8.18 The rating level of any noise generated by any plant and equipment forming part of the development shall be at least 5 dB below the pre-existing background level as determined by BS4142 Method of rating industrial noise affecting mixed residential and industrial areas.

8.19 No development shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the local planning authority. The assessment shall be carried out by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of 5 potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and/or 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 and the potential risks to human health and property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes, adjoining land, ground waters, surface waters, ecological systems, archaeological sites and ancient monuments.

8.20 No development shall commence where (following a risk assessment) land affected by contamination is found which poses unacceptable risks until a remediation scheme has been submitted to and approved in writing by the local

planning authority. The scheme shall include an appraisal of the remediation objectives and remediation criteria and a description and programme of the works to be undertaken, including a verification plan. The scheme shall 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.

8.21 The development shall not be occupied until the remediation scheme approved pursuant to condition 20 has been carried out and a verification report by a suitably qualified contaminated land practitioner has been submitted to and approved in writing by the local planning authority.

8.22 In the event that, when carrying out the development hereby approved, contamination is found that was not previously identified it must be reported in writing to the local planning authority within 7 days and development on the affected part of the site shall cease. A risk assessment in accordance with condition 19 shall be carried out and submitted to and approved in writing by the local planning authority. If unacceptable risks are found a remediation scheme in accordance with condition 20 shall be submitted to and approved in writing by the local planning authority before development resumes. The development shall not be occupied until the approved remediation scheme has been carried out and a verification report has been submitted to and approved in writing by the local planning authority.

8.23 The development shall not be occupied until a post-development verification report has been submitted to and approved in writing by the local planning authority. The report shall set out any restrictions on the use of the development and demonstrate that arrangements have been made to inform future site users of the restrictions.

8.24 Notwithstanding the approved plans, lockable space shall be made available within the site for the secure parking of 34 cycles before the first occupation of the development. Use of the cycle parking shall be monitored by the travel plan coordinator each term and should the cycle parking be more than 95% occupied for more than one month then additional parking shall be provided in accordance with 6 details which shall be submitted to and approved in writing by the local planning authority up to a maximum of 106 cycle stands.

8.25 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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

8.26 The proposed ecological enhancements, including bird and bat boxes, shall be delivered in accordance with the details contained within the submitted Phase 1 Habitat Survey prior to the occupation of the development hereby approved.

8.27 No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in

writing by the local planning authority and a report on the results has been submitted to the local planning authority.

8.28 The development hereby permitted shall not be occupied until an agreement under section 278 of the Highways Act 1980 has been entered into between the applicant and the Council in order to upgrade the crossing adjacent to the site on Lower Clapton Road to a toucan crossing.

8.29 Notwithstanding the approved drawings, no development shall take place until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The method statement shall include details of tree protection measures for all trees within and adjoining the site and shall be adhered to throughout the construction period.

8.30 The school shall admit no more than 180 pupils in its first year of operation. Thereafter, the school roll shall increase by no more than 90 pupils per year until the full capacity of 630 pupils is reached. At no time shall the school admit more than 630 pupils.

8.31 No works on the southern elevation of the classroom block hereby permitted shall be commenced until details of that elevation have been submitted to and approved in writing by the local planning authority

- 5.4 The committee heard from a member of the public who raised an objection to the application on the grounds that it would create a 'ripple effect'. They were concerned that the application to increase pupil numbers may give rise to further similar applications in the future, especially in light of the schools closing because of the current pandemic. Any additional increase in pupil numbers would be an unnecessary strain on the area e.g. pavement congestion with increased pupils, parents and school staff. There were also concerns raised about the potential impact of additional pupil numbers in the first year on public health given the risk of infection from the Covid 19 virus.
- 5.5 A local ward councillor also raised objections citing safety concerns about the strains additional pupil numbers would put on the area. If the lockdown continues the school would seek to increase pupil intake further, if so, then the head teacher would need to ensure that any disruption caused as a result needs to be kept to a minimum. The councillor highlighted the significant impact the application had caused to her constituents and that the change in pupil numbers needed to be considered in light of safety concerns.
- 5.6 The applicants made their submission during the course of which they addressed some of the points raised by the objectors.
- 5.7 The Chair invited Committee Members to raise any comments or questions. The following was discussed:
- On whether this minor material amendment could be allowed to take place, the relevant legislation was in place to allow some flexibility in cases such as construction delays. Any further changes would not necessarily open the flood gates to similar planning applications in the future. Any such applications would be assessed on their own merits

- Changes to the Clapton Road one way system had been taken into account by the council's transport and traffic team and a condition was attached to the original permission to include a 'Toucan' public crossing on the road
- While the council could not enforce any signed agreement between parents and the school that the former group would agree not to drive their children to school, it was expected that there would be a degree of goodwill in place between the two parties. The school stressed to parents that if they wished their children to come to the school they must not use their car. The measures set out in any approved Travel Plan or Operational Management Plan would however be enforceable
- There were some delays in construction but the contractors had given assurances that they were taking all steps, taking into account the current lockdown and the social distancing measures, to reach the September deadline for completion of the work
- An agreed school management plan and travel plan would be part of the pre-occupancy conditions. The latter would take into account the impact of the additional number of pupils on traffic in the area. It was agreed that the Travel Plan would come back to the Planning Sub-Committee, with two years' worth of data, for the planning committee's consideration
- The majority of the school's pupils were within a one to two kilometre radius. A lot were from the Cazenove and Stoke Newington areas, however, for prospective reception pupils, their addresses were currently unclear as the school had only just sent out its letters and they were waiting for parents to reply
- The acceptability of the current proposal to officers was not due to changes in the transport conditions around the school since the original application was determined. Rather the assessment was based on the impact of allowing an additional 90 pupils in the first year. The original transport conditions were put forward by the applicant at the inquiry stage and they were imposed in order to address the issue of the catchment area and the need to transfer pupils from the Cazenove to the Lower Clapton Road area, with the use of mini buses, and the impact that would have on transport in the area.

Vote:

For: Unanimous

8 RECOMMENDATION

Recommendation A (as per the addendum)

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

8.2 The development hereby permitted shall be carried out and completed in accordance with the plans listed in the attached Annex C and any subsequent approval of details.

8.3 Notwithstanding the approved drawings, details of the following matters shall be submitted to and approved in writing by the local planning authority before any work in relation to these matters takes place. Development shall be carried out in accordance with the approved details. • air handling plant and louvres on roofs, including 1:20 scale plans, sections and elevations showing the relationship of the new elements to the historic fabric • the new entrance through the western boundary wall, including 1:20 scale plans, sections and elevations showing the relationship of the new elements with the historic fabric • new and replacement windows, including 1:20 scale elevations showing glazing patterns and 1:10 scale sections showing glazing and joinery details

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the occupation of the development. Development shall be carried out in accordance with the approved details and permanently retained as such thereafter. • low NOx emitting combined heat and power and emergency generator plant (referred to hereafter as plant) • performance data including emissions standards and technical data for each piece of plant. The data shall demonstrate that the plant is low NOx in relation to air quality standards and other similar plant available on the market. The plant installed shall meet or improve upon the approved emissions standards and technical data • details of the plant installed (including measured emissions) and details of any emissions mitigation equipment installed

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managed and waste will be controlled at all stages during the construction phase, including 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) and the location of any mobile plant or machinery • details of the locations 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) and the duration of construction • mitigation measures (as defined in BS 5228: Parts 1 and 2: 2009 Annex F Noise and Vibration Control on Construction and Open Sites) which shall be used to estimate LAeq levels and minimise noise disturbance from demolition and construction works • procedures for maintaining good public relations including complaint management, public consultation and liaison • arrangements for liaison with the Council's Community Safety Team • any works or ancillary operations which are audible at the site boundary shall be carried out only between 08.00 and 18.00 on Mondays to Fridays, 08.00 and 13.00 on Saturdays and at no time on Sundays and Bank Holidays • deliveries and/or removal of materials, plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above • procedures for emergency deviation from the agreed working hours The approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

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8.17 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 approved Delivery and Servicing Management Plan.

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8.19 No development shall commence until an assessment of the risks posed by any contamination has been submitted to and approved in writing by the local planning authority. The assessment shall be carried out by a suitably

qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of 5 potentially contaminated sites and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and/or 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 and the potential risks to human health and property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes, adjoining land, ground waters, surface waters, ecological systems, archaeological sites and ancient monuments.

8.20 No development shall commence where (following a risk assessment) land affected by contamination is found which poses unacceptable risks until a remediation scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of the remediation objectives and remediation criteria and a description and programme of the works to be undertaken, including a verification plan. The scheme shall 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.

8.21 The development shall not be occupied until the remediation scheme approved pursuant to condition 20 has been carried out and a verification report by a suitably qualified contaminated land practitioner has been submitted to and approved in writing by the local planning authority.

8.22 In the event that, when carrying out the development hereby approved, contamination is found that was not previously identified it must be reported in writing to the local planning authority within 7 days and development on the affected part of the site shall cease. A risk assessment in accordance with condition 19 shall be carried out and submitted to and approved in writing by the local planning authority. If unacceptable risks are found a remediation scheme in accordance with condition 20 shall be submitted to and approved in writing by the local planning authority before development resumes. The development shall not be occupied until the approved remediation scheme has been carried out and a verification report has been submitted to and approved in writing by the local planning authority.

8.23 The development shall not be occupied until a post-development verification report has been submitted to and approved in writing by the local planning authority. The report shall set out any restrictions on the use of the development and demonstrate that arrangements have been made to inform future site users of the restrictions.

8.24 Notwithstanding the approved plans, lockable space shall be made available within the site for the secure parking of 34 cycles before the first occupation of the development. Use of the cycle parking shall be monitored by the travel plan coordinator each term and should the cycle parking be more than 95% occupied for more than one month then additional parking shall be provided in accordance with 6 details which shall be submitted to and

approved in writing by the local planning authority up to a maximum of 106 cycle stands.

8.25 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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

8.26 The proposed ecological enhancements, including bird and bat boxes, shall be delivered in accordance with the details contained within the submitted Phase 1 Habitat Survey prior to the occupation of the development hereby approved.

8.27 No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority and a report on the results has been submitted to the local planning authority.

8.28 The development hereby permitted shall not be occupied until an agreement under section 278 of the Highways Act 1980 has been entered into between the applicant and the Council in order to upgrade the crossing adjacent to the site on Lower Clapton Road to a toucan crossing.

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8.31 No works on the southern elevation of the classroom block hereby permitted shall be commenced until details of that elevation have been submitted to and approved in writing by the local planning authority.

Recommendation B

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 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

6 2019/2514 Woodberry Down Phase 3

- 6.1 PROPOSAL: Demolition of the existing buildings, and construction of 4 residential blocks, ranging in height from 6 to 20 storeys, to provide 584 residential units and 1,045 sqm (GEA) of flexible floorspace (Use Class A1, A2, A3, D1, D2), a new energy centre (sui generis) and a new public park; together with ancillary hard and soft landscaping, public realm, cycle and associated car parking, highway works including access road and all other works associated with the development. (THIS APPLICATION WAS ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT).
- 6.2 POST SUBMISSION REVISIONS: The Local Planning Authority received further information in response to a request issued on the 20th September 2019 pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment Regulations) 2017. An additional document entitled 'Regulation 25 Additional Information' dated September 2019. A re-consultation was undertaken. Subsequently revisions to the proposal have been received including: amendments to the detailed architecture of building B2 and the openings to the lift lobbies of all buildings except block B2; the external terrace layouts of blocks B4 and B5; the omission of internal private car parking provision (excluding blue badge spaces) at ground floor level in block B2; the removal of an on-street parking and deliveries bay on Woodberry Grove; and enhanced landscaping proposals. A re-consultation was undertaken.
- 6.3 The Planning Service's Major Projects Planning Officer – Woodberry Down introduced the application. During the course of their presentation reference was made to the addendum and the following amendments:

Additional representations:

22 additional neighbour representations have been received in respect of the above application. Of these, 21 specifically object to the application on the grounds of the loss of the Happy Man Tree. A further representation raised concern over density, quality of accommodation and impact on the occupiers of existing properties neighbouring the site. In addition to the above, a representation from the Labour Party (Woodberry Down Branch), also raising objection to the loss of the Happy Man Tree has also been received. Additional representations have also been received from the Hackney Society and the Stoke Newington Conservation Area Advisory Committee. These representations recognise enhancements to the design of the proposal, but reiterate previous comments made and raise concern over the loss of the Happy Man Tree. Confirmation has been received from the Chair of Woodberry Down Community Organisation (WDCO) that no formal representation will be made in respect of the application by the WDCO Board.

Amendments to conditions:

Further discussions with the applicant and consultees relating to the wording of conditions has taken place since the publication of the report, and as a result some have been amended, elements separated out or combined with others, or triggers changed. The amended schedule of conditions seeks to secure similar safeguards to those originally proposed. Key changes are to the detailed wording of the energy centre conditions to relate more specifically to this stand alone permission whilst still ensuring adequate control of delivery. A full schedule of all conditions is set out below:

10.1.1 Time limit

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).

10.1.2 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 in the interests of good planning.

10.1.3 Phasing of works

Prior to the commencement of demolition works hereby permitted, details of the order in which the blocks/buildings and public realm and open spaces will be commenced (the phasing of the development) shall have been submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in full accordance with the approved phasing details.

REASON: To ensure that the delivery of the development is consistent with the principles of good master planning and in the interests of safeguarding residential amenity.

10.1.4 Archaeology

No development shall take place until the applicant has undertaken an archaeological desk top study which has been submitted to, and approved in writing by, the Local Planning Authority. In the event that the desk top study identifies a need for a Written Scheme of Investigation(WSI), no development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a WSI which has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation, and provision made for analysis, publication and dissemination of the results and archive deposition has been secured. The development shall be carried out in full accordance with the agreed desk top study and WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- (i) 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; and
- (ii) Where appropriate, details of a programme for delivering related positive public benefits; and
- (iii) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

REASON: In the interest of securing and appropriately recording archaeological remains and the heritage interest of the site.

10.1.5 Contaminated land investigation

Prior to the commencement of each phase of development (as defined by the details approved under the scope of condition 3 above) details and results of a soil contamination survey of the site and details of remediation strategy proposed to treat/eradicate any contamination found and bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to, and approved in writing by, the Local Planning Authority.The survey shall be carried out by a suitably qualified person or body to be agreed by the Council. The remediation strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the

preferred option(s), and a timetable of works and site management procedures. The remediation strategy shall demonstrate that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development shall not take place otherwise than in accordance with the details so approved.

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

10.1.6 Contaminated Land Implementation

The approved remediation strategy shall be implemented in accordance with the approved timetable of works. Within 6 months of the completion of measures identified in the approved remediation strategy, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

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

10.1.7 Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified in the approved remediation strategy 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 and 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.

10.1.9 Demolition Management and Logistics Plan

Prior to the commencement of demolition works a Demolition Management and Logistics Plan (DMLP) shall be submitted to, and approved in writing by, the Local Planning Authority.

The DMLP(s) shall include the following details:

- (i) Hours of works; and
- (ii) A programme of works; and

(iii) Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures;

(iv) Loading and unloading of plant and materials; and

(v) How materials will be managed efficiently and disposed of legally, and the re-use and recycling of materials maximised; and

(vi) Storage of plant and materials; and

(vii) Boundary hoardings behind any visibility zones; and

(viii) Contact arrangements between residents and contractors.

All demolition works associated with the development hereby permitted shall thereafter take place in full accordance with the approved DMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety.

10.1.10 Construction Management and Logistics Plan

Prior to the commencement of the development hereby permitted, a Construction Management and Logistics Plan (CMLP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CMLP(s) shall include the following details:

(i) Hours of works; and

(ii) A programme of works; and

(iii) Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures;

(iv) Loading and unloading of plant and materials; and

(v) How materials will be managed efficiently and disposed of legally, and the re-use and recycling of materials maximised; and

(vi) Storage of plant and materials; and

(vii) Boundary hoardings behind any visibility zones; and

(viii) Contact arrangements between residents and contractors.

All demolition and construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety.

10.1.10 Demolition Environmental Management Plan

Prior to the commencement of demolition works, a Demolition Environmental Management Plan (DEMP) shall be submitted to, and approved in writing by, the Local Planning

Authority. The DEMP shall include the following details:

(i) Procedures to minimise impact on biodiversity and human health, including full details of the measures set out in Sections 13.8, 15.6, 15.7, 16.6, 16.8, and tables 15.11, 15.12, 15.13 and 16.8, and elsewhere in Chapters 15 and 16 and appendices thereto of Chapters

15 (Water Resources, Drainage and Flood Risk) and 16 (Ecology and Nature Conservation) of the Environmental Impact Assessment including the Executive Summary and section 4 (Potential Impacts and Recommendations) of the Preliminary Ecological Appraisal Report and and section 5 (Recommendations) of the Bat Survey (including details of construction, numbers of locations of bat and bird boxes to be incorporated into the development); and

(ii) Measures and targets for noise and vibration minimisation, mitigation and monitoring which shall include details of the measures set out in Sections 12.3, 12.4 and 12.6 and Table 12.21 of Chapter 12 (Noise and Vibration) and appendices thereto of the Environmental Impact Assessment including the Executive Summary; and

(iii) A dust management plan which shall include measures to minimise the emission of dust and dust suppression measures, including full details of the measures set out in Sections 13.8 and table 13.21 and appendices thereto of Chapter 13 (Air Quality) of the Environmental Impact Assessment including the Executive Summary; and

(iv) Supervision by appropriately qualified specialist ecologists.

All demolition works associated with the development hereby permitted shall thereafter take place in full accordance with the approved DEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife

10.1.11 Construction Environmental Management Plan

Prior to the commencement of the development hereby permitted, a Construction, Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

(i) Procedures to minimise impact on biodiversity and human health, including full details of the measures set out in Sections 13.8, 15.6, 15.7, 16.6, 16.8, and tables

15.11, 15.12, 15.13 and 16.8, and elsewhere in Chapters 15 and 16 and appendices thereto of Chapters

15 (Water Resources, Drainage and Flood Risk) and 16 (Ecology and Nature Conservation) of the Environmental Impact Assessment including the Executive Summary and section 4 (Potential Impacts and Recommendations) of the Preliminary Ecological Appraisal Report and section 5 (Recommendations) of the Bat Survey (including details of construction, numbers of locations of bat and bird boxes to be incorporated into the development); and

(ii) Measures and targets for noise and vibration minimisation, mitigation and monitoring which shall include details of the measures set out in Sections 12.3, 12.4 and 12.6 and Table 12.21 of Chapter 12 (Noise and Vibration) and appendices thereto of the Environmental Impact Assessment including the Executive Summary; and

(iii) A dust management plan which shall include measures to minimise the emission of dust and dust suppression measures, including full details of the measures set out in Sections 13.8 and table 13.21 and appendices thereto of Chapter 13 (Air Quality) of the Environmental Impact Assessment including the Executive Summary; and

(iv) Supervision by appropriately qualified specialist ecologists.

All construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife.

10.1.12 Temporary lighting

All temporary lighting used during the demolition and construction works associated with the development hereby permitted shall only be illuminated during hours of construction.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife.

10.1.13 Pre-demolition recording

Prior to demolition of each building on the site, a photographic record of the existing internal and external condition and detail of the buildings and landscaped areas to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The record(s) will thereafter be deposited with the Hackney Archive.

REASON: In the interests of recording of the historic development of the site.

10.1.14 Stone Doorcase to the former Robin Redmond Centre, 440 Seven Sisters Road

Prior to the demolition of the former Robin Redmond Centre, the stone door surround to the main corner entrance shall be removed and stored for reuse as part of the landscaping proposals for this application. A Doorcase Preservation Method Statement (DPMS) shall be submitted to, and approved by, the Local Planning Authority in writing, before the relevant part of the works are commenced.

The DPMS shall include the following details:

- (i) How the doorcase is to be removed, in such a way as to make its future re-erection possible; and
- (ii) Where the doorcase is to be stored and the name of the individual responsible for its storage; and
- (iii) Where in the new development on site it is to be located; and
- (iv) How it is to be re-erected. The demolition of the former Robin Redmond Centre shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that this feature of heritage interest is preserved and re-erected in the new scheme to provide a memory of a key public building in the old Woodberry Down estate.

10.1.15 Foundations

No demolition or removal of foundations, basement and ground floor structures shall take place until a Foundation Method Statement (FMS) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with TfL and Thames Water. The FMS shall include the following details:

- (i) Details, including location, depth and type of all foundations to be removed; and
- (ii) A programme for all foundation removal works, which should reflect the approved phasing plan; and
- (iii) Measures to prevent and minimise the potential for damage to subsurface transportation, water and sewerage infrastructure including as a result of ground movement and mitigation of noise and vibration on London Underground infrastructure;

and

- (iv) Details of monitoring and recording of impacts on underground infrastructure. All foundation removal works associated with the development hereby permitted shall thereafter take place in full accordance with the approved FMS.

REASON: In the interests of safeguarding the structural integrity and ongoing functioning of underground transportation, water and sewerage infrastructure.

10.1.16 Piling

No construction of foundations, basement and ground floor structures associated with the development hereby permitted shall take place until a Piling Method

Statement (PMS) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with TfL and Thames Water. The PMS shall include the following details:

(i) The location, depth and type of piling to be undertaken and the methodology by which all piling works (temporary and permanent) will be carried out; and

(ii) A programme for all piling works (temporary and permanent), which should reflect the approved phasing plan; and

(iii) Details of all proposed foundations; and

(iv) Measures to prevent and minimise the potential for damage to subsurface transportation, water and sewerage infrastructure including as a result of ground movement and mitigation of noise and vibration on London Underground infrastructure;

and

(v) Details of monitoring and recording of impacts on underground infrastructure. All piling works associated with the development hereby permitted shall thereafter take place in full accordance with the approved PMS.

REASON: In the interests of safeguarding the structural integrity and ongoing functioning of underground transportation, water and sewerage infrastructure.

10.1.17 Materials/architectural details to be approved

Prior to the commencement of above ground level development of each phase of development (as defined by the details approved under the scope of condition 3 above), full design details and materials of the facade treatment proposed shall be submitted to, and approved in writing by, the Local Planning Authority. The details submitted shall include the following:

(i) Samples (including sample boards) and specifications of all external materials (including obscure and clear glazing, screening, spandrels and cladding) and full details of junctions/interfaces between different material types; and

(ii) A physical full scale mock-up of a typical facade arrangement for the building relevant to each block (the extent of which shall be agreed with the Local Planning Authority); and

(iii) Annotated plans at a scale of 1:10 or 1:20 of the details of the typical ground floor facade treatment including residential entrance(s), shop front(s), Seven Sisters Road frontage of energy centre, vehicular accesses to Blocks A and B, and openings to refuse and bicycle storage; and

(iv) Details of all window, door, balcony, surround, soffit, canopy, reveal, glazing and corner detailing types (including details of where used in the development, detailed drawings at a scale of 1:5, 1:10 or 1:20 as appropriate, frames and glazing bars, product literature and samples); and

(v) Details of screening and/or enclosure of roof top plant, including drawings to a scale of 1:20 or 1:50 as appropriate; and

(vi) Details of expansion joint positioning; and

(vii) Details, including samples and annotated plans at a scale of 1:10 or 1:20, of each balcony type and wind screening of balconies; and

(viii) Details of the layout of each lobby type which shall show details of storage of mail and deliveries and natural lighting and ventilation, including annotated plans at a scale of 1:20 or 1:50; and

(viii) Permanent facade cleaning equipment.

The development shall not be carried out otherwise than in full accordance with the details thus approved.

REASON: To ensure that the finished appearance of the development is acceptable and functions well, protect local amenity and prevent opportunities for anti-social behaviour.

10.1.18 Soil stacks

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby permitted other than as shown on the drawings hereby approved, unless agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory appearance to the development and a high quality of design.

10.1.19 Satellite antenna

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the elevation or roof of any buildings hereby permitted unless or until details of their size and location have previously been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure a satisfactory standard of external appearance and to protect local amenity.

10.1.20 Landscape and public realm environmental scheme

Within 6 months of the commencement of superstructure works hereby permitted, details showing the hard and soft landscaping scheme (the Landscaping and Public Realm Scheme [the LPRS]) for the development shall be submitted to, and approved in writing

by the Local Planning Authority. The LPRS shall be based on the approved drawing numbers 1519/029 rev H (tree planting plan) and 1519/030 rev B (Landscape Masterplan with Enhancements) and include the following details:

(i) Full specification of all planting including trees, shrubs, sub-shrubs, bedding and lawns (common and Latin names, size and pot height; density or number, stock type, tree girth and method of growth e.g. container or open ground) and extent for all public and shared landscaped areas, including planting for biodiversity and habitat creation, pleached trees to the entirety of the northern boundary of the site other than where access is required, defensible planting to private garden areas and landscape screening to mitigate wind impacts on balconies, and omitting multi-stemmed umbrella planting on corners and other locations where long sight lines are desirable; and

(ii) Section drawings to a scale of 1:5, 1:10 or 1:20 (as appropriate) showing details of all tree and planting pit, permanent planter types, and the construction of the podium garden areas which should provide a minimum of 800mm substrate for planting areas (deeper for trees); and

(iii) Specification of surrounds and/or protection for street trees within the development; and

(iv) Details of all surface treatments (which shall all be of permeable construction or otherwise allow water percolation to the ground) including location, materiality, colour and finish, and specifications including suppliers or manufacturers details; and

(v) Incorporation of the stone door surround of the former Robin Redmond Community Centre into the landscaping of the public park area in the east of the site; and

(vi) Rain gardens on internal streets; and

(vii) A detailed interim and final landscaping plan for the removal and making good of the temporary vehicle access to Newton Close and the incorporation of the land into the public park, including timescales for delivery; and

(viii) Details of the delivery of living streets within the development, including vehicle barriers or an alternative vehicle control mechanism to restrict the use of the vehicular link around the north west perimeter of the park to access for emergency and refuse/recyclables collection, which shall not include the use of gates, along with the exploration of the provision of pedestrian counters; and

(ix) A strategy for accommodating wayfinding signage within the site; and

(x) All internal and site boundary treatment types and locations; and

(xi) Design of all street furniture types and locations; and

(xi) Any play equipment to be provided (including the specifications, manufacturer and British or European Standards of that equipment). All planting, seeding or turfing shall be implemented in the first planting season following first occupation of the relevant phase, as defined by the approved phasing plan, with the exception of the final landscaping plan for the temporary vehicle access to Newton Close which shall be implemented in accordance with the details approved in respect of (vii) above. Any plants or trees that die or are removed, damaged or diseased within a period of ten years from the substantial completion of the development shall be replaced to the

satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species. All hard landscaping shall be carried out in full prior to occupation of the relevant phase of the development, as defined by the details approved under the scope of condition 3 above, with the exception of the final landscaping plan for the temporary vehicle access to Newton Close which shall be implemented in accordance with the details approved in respect of (vii) above. The development shall not be carried out otherwise than in full accordance with the details thus approved.

REASON: To ensure that the external appearance of the site is acceptable, provides acceptable formal and informal leisure facilities for all ages, and protects and enhances biodiversity.

10.1.21 Landscape and Public Realm Environment Management and Maintenance Scheme

The development hereby permitted shall not be occupied unless and until a Landscape and Public Realm Management and Maintenance Scheme (LPRMMS) including full details setting out how the hard and soft landscaped areas identified in the Landscaping and Public Realm Scheme (approved pursuant to condition 20 above) are to be maintained and managed, have been submitted to and approved in writing by the Local Planning Authority. The LPRMMS shall include the following details:

- (i) the proposed quantum of area; location; specification;
- (ii) long term design objectives in terms of public use, evolution of appearance, maintenance and addressing climate change;
- (iii) A long term management plan which should include responsibilities and maintenance schedules for all landscaped areas and public realm including pleaching, weeding and mowing, irrigation and rain gardens, and vehicular access to the park; and, The approved LPRMMS shall be implemented in full prior to occupation of the relevant part of the development, fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect, enhance and maintain the landscape features and character of the area.

10.1.22 Public access

The public areas of open space as shown on the approved LPRS shall remain accessible to the public at all times unless otherwise agreed in writing by the Local Planning Authority. In circumstances where occupiers of properties within the development hereby permitted are detrimentally impacted by anti-social behaviour details of proposed hours for limited public access (including a plan highlighting the extent of the limitation and details of any gating, which should be kept locked open during hours of opening) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any such restrictions coming into operation.

REASON: To ensure adequate permeability of the site and maintain an adequate pedestrian and cycling environment.

10.1.23 Landscaping accessibility

All communal and public landscaping provided as part of the development hereby permitted, shall be fully accessible and useable by disabled people, including wheelchair and scooter users, people with sight impairment and people with prams or pushchairs.

REASON: To ensure that the site is accessible and usable for all.

10.1.24 Public art

Prior to occupation of the development hereby permitted, a Public Art Strategy shall be submitted to, and approved in writing by, the Local Planning Authority, for the integration of art into the public realm, setting out processes for engaging artists and the community in the selection and procurement of an art work in strategic locations within the public realm of the site. The approved Public Art Strategy shall be implemented in full within 1 year of first occupation of the development.

REASON: To enhance the public realm, legibility and the appearance of the development.

10.1.25 Living roofs

Prior to the commencement of above ground level development of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the construction, planting regime, irrigation, and long term maintenance of bio-diverse, substrate-based extensive living roof (of variable depth of no less than 80mm, not including depth of vegetative mat), including sections at a scale of 1:20, of the living roof areas shown on the approved plans shall be submitted to, and approved in writing by, the Local Planning Authority.

Such details as approved shall be implemented prior to first occupation of the relevant phase of development and shall thereafter be retained and maintained.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

10.1.26 Tree Protection

The development shall be undertaken in full accordance with the recommendations of the Mayhew Consultancy Arboricultural Report (Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan) dated November 2019, and specifically the proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations', for the trees identified to be retained in Appendix B. The barriers and/or ground protection shall be erected before any equipment, machinery or materials are brought onto the site and shall be maintained until all equipment machinery and surplus materials have been removed from the site. The siting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas

without the written consent of the Local Planning Authority. In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard existing trees on and neighbouring the site to be retained and ensure a satisfactory setting and external appearance to the development.

10.1.27 External lighting

Prior to occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of an external lighting strategy for streets, public realm and all other external areas shall be submitted to, and approved in writing by, the Local Planning Authority. The external lighting strategy, which shall be based on the recommendations set out in Chapter 16 (Ecology and Nature Conservation) and appendices thereto of the Environmental Statement and Secured by Design principles, shall include, inter alia, the following details:

(i) Number and location of proposed luminaires, luminaire light distribution type, lamp type, lamp wattage and spectral distribution; stand type and mounting height, orientation/direction, beam angle (which should be as low as possible), projected light distribution maps of each lamp including light spillage on to any other features such as buildings, watercourses and trees, and details of any hoods or cowls, and type of control gear and lighting regime (timing and duration of illumination); and

(ii) A strategy for the long-term ownership, management and long-term maintenance of the external lighting for the lifetime of the development. The approved external lighting strategy shall be implemented in full prior to occupation of the relevant phase of development, and maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, safeguard public safety and in the interests of prevention of crime and anti-social behaviour.

10.1.28 SuDS

Prior to commencement of superstructure works hereby permitted full particulars of a Sustainable Drainage System (SuDS) shall be submitted to, and approved in writing by, the Local Planning Authority.

The SuDS shall be based on the details set out in Chapter 15 (Water Resources, Drainage and Flood Risk) of the Environmental Impact Assessment including the Executive Summary and the Burohappold Engineering Woodberry Down Phase 3 Flood Risk Assessment ref 0041665 rev 04 dated 16/05/2019, and shall include the following details:

(i) A full detailed specification, including appropriate calculations, construction details and drainage layout, of a site specific SuDS that achieves greenfield runoff rates in surface water run-off rates in respect of the new build elements compared to the existing run-off rates, which shall include green and blue roofs, rainwater harvesting, filter strips/drains, bioretention systems, rain gardens, swales, underground attenuation systems and the flow control system and reduced reliance upon the use of underground attenuation tanks; and

(ii) A site specific strategy for the ownership, management and long-term maintenance for the lifetime of the development for all elements of the surface water drainage system proposed on the site; and

(iii) Details of run-off to local waterways.

The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full in respect of each phase of development (as defined by the details approved under the scope of condition 3 above) prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

REASON: To address climate change and ensure that the development will provide a sustainable drainage system.

10.1.29 FRA - additional details (land level changes)

Prior to commencement of the superstructure works hereby permitted full details of the proposed land levels of the site (including drainage low points along the carriageways) and ground floor finished floor levels, which shall comply with the recommendations of section

6.4 of the Burohappold Engineering Woodberry Down Phase 3 Flood Risk Assessment ref0041665 rev 4 dated 16/05/2019, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

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

10.1.30 Parking Design and Management Plan

Prior to the occupation of the development, details of the Parking Design and Management Plan (DSMP) shall be submitted to, and approved in writing by, the Local Planning Authority.

The PDMP shall include the following details:

(i) Safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between user groups; and

(ii) Appropriate provision of blue badge parking and electric vehicle charging points; and

(iii) Include details of how additional blue badge car parking could be provided in the future through conversion of standard car parking spaces; and

(iv) Permanent mechanisms for prevention of non-car parking areas to be used for that purpose; and (v) Permanent mechanisms for securing the disabled parking bays for use by disabled residents only and remaining available for that use in perpetuity for the lifetime of the development;

(vi) Ensure that use of car parking for the relevant block is actively controlled through measures set out in the DSMP; and

(vi) Set out the measures to enforce the car parking arrangements for the relevant block.

The approved PDMP shall be implemented in full prior to occupation of the phase of development, fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers.

10.1.31 Private bicycle storage

Prior to the occupation of the development hereby permitted, full details of secure, accessible, on site bicycle storage including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle spaces is made within the development in the interests of discouraging car use, relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general.

10.1.32 Commercial/community bicycle storage - ancillary accommodation Prior to the occupation of each unit of commercial/community floorspace of Blocks A and B, full details of internal lockable space and associated facilities such as showers to be used in association with the commercial/community floorspace within each unit shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of each unit of commercial/community floorspace and shall thereafter be retained and maintained.

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, safeguarding highway safety and improving highway conditions in general.

10.1.33 Public bicycle parking

Prior to the first occupation of the development hereby permitted, details of 78 visitor bicycle parking spaces including location, layout, stand type and spacing, shall be

submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision for the parking of bicycles is made for future users and visitors of the development in the interest of relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general.

10.1.34 Delivery and Servicing Management Plan

Prior to the occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the Delivery and Servicing Management Plan (DSMP) for both residential and commercial/community uses within that Block or Building shall be submitted to, and approved in writing by, the Local Planning Authority. The DSMP(s) shall:

(i) Seek to rationalise the number of delivery and servicing with the aim of reducing traffic impacts for the relevant block; and

(ii) Include, inter alia, details of the location and management of servicing areas; location,

number and timings of deliveries and collections (which should avoid anti-social hours); the types of delivery and collection vehicles; and

(iii) Ensure that delivery space and time for the relevant block is actively controlled through measures set out in the DSMP; and

(iv) Set out the measures to enforce the servicing arrangements for the relevant block. The approved DSMP(s) shall be fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers.

10.1.35 Refuse/Recyclables Management Plan

Prior to the occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the refuse/recyclables management plan (RRMP) for both residential and commercial/community uses within that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority. The RRMP(s) shall include (a) details of the location and management of storage areas, details of the refuse and recyclables containers, quantum of storage provided, location, number and timings of deliveries and collections, and details of how the refuse/recyclables containers will be moved from the storage areas to collection points, and (b) set out the measures to enforce the servicing arrangements for the relevant phase of development. The approved RRMP(s) shall be fully implemented for the life of the development and all refuse/recycling shall be managed in accordance with the approved RRMP(s), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupier and to safeguard public health through the reduction of pollution and likelihood of vermin infestation.

10.1.36 Energy Centre 1

Prior to commencement of the development hereby permitted (other than works of demolition) a full new energy strategy and low carbon transition plan, its timeline for implementation, details of the technology, design and indicative capacity of the energy centre(s) to supply energy to the masterplan site wide district heat network and potential extension to adjoining developments, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.37 Energy Centre 2

Prior to the commencement of the use of the energy centre, full details of the combined heat and power unit and boilers, or alternative technologies, installed in the energy centre and the details of any emissions mitigation equipment installed, shall be submitted to, and approved in writing by, the Local Planning Authority. The technology units installed in the energy centre shall meet, or improve upon, the emissions standards and technical details associated with air quality set out in the Environmental Statement and Air Quality Impact Assessment or any details approved under the scope of condition 36 above, and shall include details of long term monitoring and maintenance adequate to demonstrate continued compliance with the emission limits. The development shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.38 Energy centre 3

On or before 1st January 2023, full details, including drawings and technical specifications, of the energy centre shall be submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include the following details:

(i) Detailed design, of the distribution network, including locations of connection points and heat exchangers, to KSS1, KSS3 and Phase 2, including details of capacity, reduction and mitigation measures for heat losses from the pipe length of the whole network (both buried and block pipework), and insulation and design temperatures and its delivery; and

(ii) Sections and floor plans to an appropriate scale showing the layout of the plant in the energy centre, demonstrating that sufficient space is provided for the approved equipment and additional equipment to be installed in future; and

(iii) A site specific strategy for the ownership, management and long-term maintenance for the lifetime of the development for all elements of the operation of the energy centre; and The approved details shall be fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.39 Energy centre 4

On or before 1st January 2026, the following details shall be submitted to, and approved in writing by, the Local Planning Authority in order to confirm that the Phase 3 Energy Centre is installed, commissioned and operational in respect of its connections to KSS1, KSS3 and Phase 2;

i) Detailed drawings showing the as built routing and sizing of the District Heat Network that connects the KSS1, KSS3 and Phase 2 sites to the Phase 3 Energy Centre, which shall be sufficient to allow expansion and connection to future phases of development and Kick Starter 4; and

ii) Confirmation that all temporary plant rooms in KSS1, KSS3 and Phase 2 have been decommissioned and connection of these elements of the Woodberry Down Development to the District Heat Network has been undertaken; and

iii) confirmation that Phase 3 is also connected to its Energy Centre.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.40 Energy centre 5

Within 3 months of the commencement of the use of the Phase 3 Energy Centre the applicant shall submit in writing details of tests undertaken on the installed systems to demonstrate that the emissions standards set out in the Air Quality Impact Assessment or any details approved under the scope of condition 37 above have been met, to the Local Planning Authority. The systems shall be maintained thereafter in such a way as to ensure that these standards continue to be met for the life of the development.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.41 Solar Photovoltaic Panels

Prior to the first occupation of each phase of the development (as defined by the details approved under the scope of condition 3 above), full details of solar

photovoltaic panels on each building, to be installed in conjunction with biodiverse roofs, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved equipment shall be installed in full accordance with the approved details prior to the first occupation of the relevant phase of the development and shall be retained in working order thereafter.

REASON: To ensure that the development is adequately sustainable.

10.1.42 Air permeability testing

Prior to final occupation of the development, certification confirming that the development has achieved an FEE of 32.34 kWh/m²/yr and an average Air Permeability of 4 m³/h/m² at 50Pa shall be submitted to, and approved in writing, by, the Local Planning Authority. The development shall be carried out in full accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

10.1.43 NSC - Non Road Mobile Machinery

Only Non Road Mobile Machinery which complies with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery' will be present on or used at the development site during the demolition and construction process. All NRMM must be 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.

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.

10.1.44 Fixed plant

The total noise levels from any fixed plant at the site shall at all times be 10dB(A) below the background noise level when measured at any nearby residential unit in accordance with BS4142:1997.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery.

10.1.45 Microclimate

Notwithstanding the Pedestrian Level Wind Microclimate Assessment produced by RWDI dated December 2018 (appendices to Chapter 9 of the Environmental Statement), any submission to the Local Planning Authority pursuant to conditions 17

and 20 above shall be accompanied by an updated Wind Survey demonstrating how a) appropriate mitigation measures within the podium gardens and at ground floor level have been incorporated into the landscaping proposals and architectural detailing and b) the balconies located within the development have appropriate screening/planting to enable a comfortable sitting environment. The details shall be approved in writing by the Local Planning Authority and remain in perpetuity for the lifetime of the development.

Reason: To ensure that the mitigation measures identified in the submitted wind study are taken forward in the interest of the pedestrian environment and quality of private amenity spaces.

10.1.46 Hours of use - A1 and A2

The retail (Use Class A1) and professional (Use Class A2) uses hereby permitted shall only be open to the public between (08:00) hours and (20:00) hours Monday to Saturday and (09:00 to 16:00) on Sundays and Bank and other Public Holidays, unless agreed in writing with the Local Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.47 Hours of use - A3, D1 and D2

Any restaurant/cafe (Use Class A3) or community (Use Class D1 and D2) uses hereby permitted shall only be open to the public between 07:00 hours and 23:00 hours on any day, unless agreed in writing with the Local Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.48 Hours of use - A3, D1 and D2 outdoor seating

Any outdoor seating serving restaurant/cafe uses (Use Class A3) or community (Use Class D1 and D2) uses hereby permitted, shall not be used for patron seating or congregation between 21:30 and 10:00 on any day, unless agreed in writing with the Local

Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.49 Operational Management Plan

Prior to occupation of the units of each commercial/community use hereby permitted, a detailed Operational Management Plan (OMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The OMP(s) shall include (a) details of measures to mitigate any noise and disturbance arising from the commercial and community uses hereby approved, and (b) set out the measures to enforce the OMP for the relevant unit. The operation of the approved uses 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 that occupiers of neighbouring premises do not suffer a loss of amenity by reason of general disturbance.

10.1.50 Mechanical and passive ventilation - commercial/community uses and uses falling within A3 Prior to the occupation of Blocks A and B, full details of the routing of mechanical ventilation and the passive provision of associated ducting for all commercial units shall be provided to and approved by the Local Planning Authority. The approved details shall be installed and commissioned prior to occupation of Blocks A and B and shall be permanently maintained in proper working order thereafter.

Prior to commencement within the development for any purposes falling within Use Class A3 full details of any mechanical ventilation, extraction, condensing or other plant associated with the use of each such unit shall be submitted to, and approved by, the Local Planning Authority. Such details are to include full details including manufacturers' specifications of all filtration, deodorising systems, noise, odour and vibration output and control, termination points and maintenance schedule. The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority. The approved details shall be installed and commissioned prior to commencement of any A3 use(es) and shall thereafter be retained and maintained in proper working order for the lifetime of the use(es).

REASON: To protect the amenity of future occupiers and the occupiers of neighbouring properties.

10.1.51 BREEAM

The non-residential units within the development as designed, specified and built shall achieve a BREEAM rating of "very good" (with a minimum target of 65% to be achieved).

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

10.1.52 Sound insulation 1

Prior to commencement of superstructure works on Blocks A and B, details of a sound insulation scheme, including impact sound insulation, to be implemented between the residential accommodation and any non-residential uses (including car park areas) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details, which should achieve a minimum level of insulation of Rw 55dB and higher if music is to be played in the unit at levels above 75 dB LAeq

or with particularly high levels of bass content, shall be installed prior to occupation of Blocks A and B and shall be permanently retained and maintained thereafter.

REASON: To provide an appropriate standard of accommodation and protect the amenity of future occupiers and the occupiers of neighbouring properties.

10.1.53 Window Energy Efficiency

The g-value of all windows and glazed doors must be equal to or less than 0.40.

REASON: In the interests of sustainable development.

10.1.54 Accessible Dwellings

10% of the dwellings hereby approved as shown on the approved plans shall be constructed and fitted out in compliance with Building Regulations Requirement Part M4(3) (or any subsequent replacement) prior to first occupation. The remaining dwellings shall be constructed and fitted out in compliance with and to a minimum of Building Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

REASON: To ensure that the development is adequately accessible for future occupiers.

10.1.55 Accessibility - level floors

Level access shall be provided to all residential flats and the ground floor uses hereby approved before the relevant part of the development is first occupied.

REASON: To ensure the development is fully accessible.

10.1.56 Secured by Design

Prior to occupation of each building or part of a building, a Certificate of Compliance shall be obtained that confirms achievement of the relevant Secured by Design Guide.

REASON: In the interest of amenity and creating safer, sustainable communities and residential amenity.

10.1.57 Privacy Measures

The openings to the north west elevation of the units located at all levels in the north corner of Building A3 and all openings to the west elevation of Building A4 shall be obscure glazed and non-opening below a height of 1.8m above finished floor level. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of preventing mutual overlooking of residential units within the development and thereby securing an adequately high quality of accommodation for future occupiers.

10.1.58 Water

The development hereby approved shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place

other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

ADDITIONAL INFORMATIVE

Information detailing how the developer intends to divert water assets or align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, shall be submitted to Thames Water prior to commencement of construction. Any construction must be undertaken in accordance with the terms of the approved information.

- 6.4 The committee heard from a member of the public who was raising objections on behalf of local community groups and the local Labour Party. They were seeking changes to a condition so that the so-called Happy Man Tree could be retained as a much loved natural landmark and for its amenity value. They highlighted that, during the public consultation stage, there was no mention of the fate of the tree. They saw its removal as contrary to the council's own development plan which stated that steps should be taken to retain existing trees as well as planting new ones. The objector highlighted that, according to the application report, retaining the tree would lead to design harm, however, they queried how this could be the case when the design had not been created. They recommended, should a planning application be granted, that all the partners involved should agree to a section 73 agreement, however, they understood that the planning service had advised the developers that this was unlikely to be granted. The objector added that a Woodberry Down resident had submitted a Tree Preservation Order (TPO), the decision of which was still pending. The objector concluded by reiterating that they supported the overall regeneration scheme but it should not just be about new things it should also be about retaining old or existing things like the Happy Man tree.
- 6.5 The applicants made their submission during the course of which they addressed some of the points raised by the objector.
- 6.6 The Chair invited Committee Members to raise any comments or questions. The following was discussed:
- On the issue of the viability assessment, and the 6 percent versus 20 percent profit rate for the affordable housing blocks matter, whilst it was recognised that this application was free standing it was also

linked to the wider development. This made it an application like no other with many unique elements; profit rate being just one of them. The 20 percent rate was selected because it forms part of the overall development agreement to deliver the whole redevelopment which would extend over more than one economic cycle and so represents a relatively high risk. The risk associated with the delivery of the affordable housing was much lower as a buyer was already in place but insisting on a lower profit rate would divert from the development agreement and risk making the development uneconomic as the developer has made economic assumptions based on the agreed profit rate. Planning Sub-Committee members noted that the overall affordable housing offer, 42 percent, was a good offer. It was accepted that full agreement would never be reached on the viability assessment but the planning service believed that the differences were so minor that they should not delay the application

- There were some major costs involved with the application e.g. the energy centre. These would be spread across the other phases. Phase 3 would not take on the burden of the cost of the overall energy centre scheme. Committee members noted that one of the other big costs of the application was compensating the existing lease holders at the market rate
- A subsidy from Woodberry Down phase 2 was being used to partially fund Woodberry Down phase 3
- It was acknowledged that the indicative plans (associated with outline 2013/3223) for phase 3 had stated that the Happy Man Tree would be retained, however, with the approved parameters said tree was not to be retained as the building plans would go right up to the foot of the tree and it was accepted that it would be lost at the outline stage. This was approved in December 2015. Alternative options were explored to retain the tree but they were not taken forward because of the negative impact on design and loss of affordable housing. The Happy Man tree was a London Plane category A tree of undetermined age. Those trees planted in its place would start off much smaller but it was expected that some would grow to the same height as the Happy Man tree
- The objector understood there were three options for retaining the Happy Man tree and that all parties had agreed previously to go for a section 73 application. Meetings were scheduled as a result but had not taken place. With regards to the Happy Man tree the planning service had to make a judgement call - retention of the tree with sufficient space to allow it to thrive would have resulted in the loss of some of the affordable housing units. The planning service were of the view that this was balanced out by a good landscaping offer as part of the new scheme with a financial contribution for the planting of more street trees and they concluded that the loss of the Happy Man tree was considered acceptable but the Planning Sub-Committee were entitled to reach a different judgement. Any steps to change the plans to include the tree at this late stage, for example, moving the affected affordable housing units onto the designated green spaces, would be contrary to the aims of the overall scheme

- The 42 percent affordable housing number was arrived at partially in response to the PDA agreement between the council and the developer but it was also part of the functionality of the viability assessment. The density of the proposed scheme was 264 units per hectare, which was four units per hectare higher than the recommended London plan matrix but this scheme was being designed. This was considered acceptable by the planning service considering the amount of public space that was included as part of phase 3. Early on Hackney Council had pushed hard for there to be an increase in the number of social housing as part of phase three. With these proposals the council was trying to ensure that it kept on track the rehousing of all the existing tenants
- The developer explained that the scheme was no denser than the other phases of the Woodberry Down site
- The separation distances between the tower blocks were fairly tight, however, there was no fixed maximum or minimum distance set down in policy and that the site was recognised as a high density environment with blocks close to one another. Therefore, it was accepted that there would be some loss of light and privacy issues. The planning service were of the view that these were minor infringements and did not outweigh the overall benefits of the application
- The tenure mix for phase three was in compliance with the overall agreed master plan and its outcomes
- No roof gardens were proposed as part of the development
- Any existing leaseholder with a parking permit would get a car parking space in the new development. The vast majority of the returning leaseholders were social tenants, if they had previously had a parking permit they would be eligible for parking space in the new development
- The quantum of refuse storage on site was believed to be more than adequate. On the frequency of waste collection sites, this was a commercial arrangement between the refuse collectors and tenants, therefore it was difficult to ascertain those details at this stage. There was the Waste Management Plan coming and the relevant conditions were quite strict. Commercial refuse collection on site would be twice a week
- The cycle parking areas were a mixture of outward and inward facing designed around a core to avoid long distances. The developer considered them safe and they were overlooked spaces. The developer added that they had worked with a secure-by-design officer to ensure that the cycle parking areas were appropriately allocated and would not cause any crime related issues. They would be monitored by Closed Circuit Television (CCTV) with sturdy doors installed for cycle storage
- The energy centre was gas powered but the developer was seeking a zero transmission rate for the centre with the exploration of ways to use the waste heat in order to reduce the need for the gas fired element. Conditions were in place to review the energy centre and explore alternatives to using gas fired boilers and CHP

- On the Design Review Panels (DRP) comments on the scheme, the developer disputed, for example, that the scheme had small vestibules. In the first DRP the developer had received very positive feedback. Between the second and third DRP meetings further detail was provided on the internal design along with a slightly amended overall design. The tower design had also been improved following further talks with the DRP and if the application was to be approved the planning service would be seeking robust conditions around materiality e.g. bricks and windows and doors
- Condition 17 (materials/detailing) would be refined in terms of elevational details with the inclusion of "notwithstanding..." and it was agreed it would return to the Planning Sub-Committee for members' consideration
- The size of the vestibules was set out in the proposals but further details were to be provided e.g. a storage area for post. These details could be reported back to the Planning Sub-Committee
- Throughout the site there was both north facing social rent and market housing. Block A, for example, had 360 degree social housing units. In the tower there was some solely north facing units that had recessed amenity space
- The social housing was separate from the private housing on site because that was a function of the registered provider as it had taken complete ownership of the block. The appearance and overall design was the same for all tenure forms. With this the architects and the developer wanted to achieve a good design for the block
- The sustainability of the scheme had been scrutinised to a high degree and the planning service had imposed a number of conditions to uplift the value of the scheme. It was acknowledged that the scheme did not meet the carbon emissions targets set out in policy. This had to be considered in the context of the application's enhanced biodiversity provision. The planning service accepted this but moving forward they expected that there would be greater levels of sustainability
- The Greater London Authority (GLA) had commented on the scheme but following regulation 25 information being provided, in September 2019, the GLA confirmed they no longer had any objections or overriding concerns about the scheme
- The Chair recommended that the Seven Sisters Road steering group (SSRSG) needed to include as part of its Terms of Reference (ToR) the aspirations and discussions that had taken place, at the Planning Sub-Committee stage, about the narrowing of the Seven Sisters Road and that there must not be any removal of the bus lanes to be replaced by cycle lanes. The aspiration was for wider pavements and a tree-lined boulevard. It was felt that work was not currently working towards this goal. The Planning Sub-Committee agreed that the committee Chair would draft an informative to this effect and he would circulate it to his fellow committee members for comments. Part of the informative would include seeking details on the SSRSG's ToR. Currently the scheme was not progressing because of TFL's review of the cycle route. The council was looking to deliver a scheme along Seven Sisters Road that had narrower roads, that provided trees and safe crossing and which would also include a cycle lane

- The podiums were considered to have enough depth to include small trees and shrub planting. There were 75 trees on podiums. Condition 20 (Landscaping) would be expanded on to explicitly require details of podium gardens that demonstrate that adequate planting can be achieved
- The developer, working with the planning service, would look at preserving, for their heritage value, the Swedish kitchens within those buildings set to be demolished. It was suggested that condition 13 (pre-demolition recording), under recommendation C, might be amended to explicitly refer to the preservation of these kitchens
- Currently use of the commercial space by businesses was unrestricted, however, the planning service could potentially look at this through the s106 agreement, however, there may be legal implications as well as an impact on the viability of the scheme. It was suggested that some investigation might be given to ring fencing use of commercial space to local businesses in the S106 agreement
- The scheme was not based on how many homes could be sold in Woodberry Down by the developer. The viability of Woodberry Down as whole was to ensure there was enough subsidy to support those phases that were not as financially viable. The percentage of homes that were not sold from the previous phases were not a material planning issue and were not for consideration by the planning committee

Vote

For (subject to referral to the Greater London Authority): Unanimous*

** The Chair, in consultation with the legal officer, agreed that, due to connection issues, Councillor Fajana-Thomas was unable to continue to participate in the discussion and the subsequent decision for this application*

10. RECOMMENDATIONS (AS PER THE ADDENDUM)

10.1. Recommendation A

That planning permission be GRANTED, subject to the following conditions:

10.1.1 Time limit

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).

10.1.2 Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly 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 in the interests of good planning.

10.1.3 Phasing of works

Prior to the commencement of demolition works hereby permitted, details of the order in which the blocks/buildings and public realm and open spaces will be commenced (the phasing of the development) shall have been submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in full accordance with the approved phasing details.

REASON: To ensure that the delivery of the development is consistent with the principles of good master planning and in the interests of safeguarding residential amenity.

10.1.4 Archaeology

No development shall take place until the applicant has undertaken an archaeological desk top study which has been submitted to, and approved in writing by, the Local Planning Authority. In the event that the desk top study identifies a need for a Written Scheme of Investigation (WSI), no development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a WSI which has been submitted to, and approved in writing by, the Local Planning Authority. The development shall not be occupied until the site investigation and post investigation

assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation, and provision made for analysis, publication and dissemination of the results and archive deposition has been secured. The development shall be carried out in full accordance with the agreed desk top study and WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

(i) 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; and

(ii) Where appropriate, details of a programme for delivering related positive public benefits; and

(iii) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

REASON: In the interest of securing and appropriately recording archaeological remain and the heritage interest of the site.

10.1.5 Contaminated land investigation

Prior to the commencement of each phase of development (as defined by the details approved under the scope of condition 3 above) details and results of a soil contamination survey of the site and details of remediation strategy proposed to treat/eradicate any contamination found and bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to, and approved in writing by, the Local Planning Authority. The survey shall be carried out by a suitably qualified person or body to be agreed by the Council. The remediation strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The remediation strategy shall demonstrate that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development shall not take place otherwise than in accordance with the details so approved.

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

10.1.6 Contaminated Land Implementation

The approved remediation strategy shall be implemented in accordance with the approved timetable of works. Within 6 months of the completion of measures identified in the approved remediation strategy, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

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

10.1.7 Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified in the approved remediation strategy 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 and 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.

10.1.9 Demolition Management and Logistics Plan

Prior to the commencement of demolition works a Demolition Management and Logistics Plan (DMLP) shall be submitted to, and approved in writing by, the Local Planning Authority. The DMLP(s) shall include the following details:

(i) Hours of works; and

(ii) A programme of works; and

(iii) Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures;

(iv) Loading and unloading of plant and materials; and

(v) How materials will be managed efficiently and disposed of legally, and the re-use and

recycling of materials maximised; and

(vi) Storage of plant and materials; and

(vii) Boundary hoardings behind any visibility zones; and

(viii) Contact arrangements between residents and contractors.

All demolition works associated with the development hereby permitted shall thereafter take place in full accordance with the approved DMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety.

10.1.10 Construction Management and Logistics Plan

Prior to the commencement of the development hereby permitted, a Construction Management and Logistics Plan (CMLP) shall be submitted to,

and approved in writing by, the Local Planning Authority. The CMLP(s) shall include the following details:

(i) Hours of works; and

(ii) A programme of works; and

(iii) Measures for traffic management including delivery and collection hours (which should avoid anti-social and peak hours), size and frequency of HGV arrivals and departures, prevention of idling by construction vehicles, construction traffic access and routing arrangements, and any footway or highway closures;

(iv) Loading and unloading of plant and materials; and

(v) How materials will be managed efficiently and disposed of legally, and the re-use and recycling of materials maximised; and

(vi) Storage of plant and materials; and

(vii) Boundary hoardings behind any visibility zones; and

(viii) Contact arrangements between residents and contractors.

All demolition and construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CMLP(s).

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers and in the interests of highway safety.

10.1.10 Demolition Environmental Management Plan

Prior to the commencement of demolition works, a Demolition Environmental Management Plan (DEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The DEMP shall include the following details:

(i) Procedures to minimise impact on biodiversity and human health, including full details of the measures set out in Sections 13.8, 15.6, 15.7, 16.6, 16.8, and tables 15.11, 15.12, 15.13 and 16.8, and elsewhere in Chapters 15 and 16 and appendices thereto of Chapters 15 (Water Resources, Drainage and Flood Risk) and 16 (Ecology and Nature Conservation) of the Environmental Impact Assessment including the Executive Summary and section 4 (Potential Impacts and Recommendations) of the Preliminary Ecological Appraisal Report and and section 5 (Recommendations) of the Bat Survey (including details of construction, numbers of locations of bat and bird boxes to be incorporated into the development); and

(ii) Measures and targets for noise and vibration minimisation, mitigation and monitoring which shall include details of the measures set out in Sections 12.3, 12.4 and 12.6 and Table 12.21 of Chapter 12 (Noise and Vibration) and

appendices thereto of the Environmental Impact Assessment including the Executive Summary; and

(iii) A dust management plan which shall include measures to minimise the emission of dust and dust suppression measures, including full details of the measures set out in Sections 13.8 and table 13.21 and appendices thereto of Chapter 13 (Air Quality) of the Environmental Impact Assessment including the Executive Summary; and

(iv) Supervision by appropriately qualified specialist ecologists.

All demolition works associated with the development hereby permitted shall thereafter take place in full accordance with the approved DEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife.

10.1.11 Construction Environmental Management Plan

Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

(i) Procedures to minimise impact on biodiversity and human health, including full details of the measures set out in Sections 13.8, 15.6, 15.7, 16.6, 16.8, and tables 15.11, 15.12, 15.13 and 16.8, and elsewhere in Chapters 15 and 16 and appendices thereto of Chapters 15 (Water Resources, Drainage and Flood Risk) and 16 (Ecology and Nature Conservation) of the Environmental Impact Assessment including the Executive Summary and section 4 (Potential Impacts and Recommendations) of the Preliminary Ecological Appraisal Report and and section 5 (Recommendations) of the Bat Survey (including details of construction, numbers of locations of bat and bird boxes to be incorporated into the development); and

(ii) Measures and targets for noise and vibration minimisation, mitigation and monitoring which shall include details of the measures set out in Sections 12.3, 12.4 and 12.6 and Table 12.21 of Chapter 12 (Noise and Vibration) and appendices thereto of the Environmental Impact Assessment including the Executive Summary; and

(iii) A dust management plan which shall include measures to minimise the emission of dust and dust suppression measures, including full details of the measures set out in Sections 13.8 and table 13.21 and appendices thereto of Chapter 13 (Air Quality) of the Environmental Impact Assessment including the Executive Summary; and

(iv) Supervision by appropriately qualified specialist ecologists.

All construction works associated with the development hereby permitted shall thereafter take place in full accordance with the approved CEMP.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife.

10.1.12 Temporary lighting

All temporary lighting used during the demolition and construction works associated with the development hereby permitted shall only be illuminated during hours of construction.

REASON: To safeguard the residential amenity of occupiers of neighbouring properties, prevent harm to biodiversity, enhance the character and ecology of the development and provide undisturbed refuges for wildlife.

10.1.13 Pre-demolition recording

Prior to demolition of each building on the site, a photographic record of the existing internal and external condition and detail of the buildings and landscaped areas to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority. The record(s) will thereafter be deposited with the Hackney Archive.

REASON: In the interests of recording of the historic development of the site.

10.1.14 Stone Doorcase to the former Robin Redmond Centre, 440 Seven Sisters Road Prior to the demolition of the former Robin Redmond Centre, the stone door surround to the main corner entrance shall be removed and stored for reuse as part of the landscaping proposals for this application. A Doorcase Preservation Method Statement (DPMS) shall be submitted to, and approved by, the Local Planning Authority in writing, before the relevant part of the works are commenced. The DPMS shall include the following details:

(i) How the doorcase is to be removed, in such a way as to make its future re-erection possible; and

(ii) Where the doorcase is to be stored and the name of the individual responsible for its storage; and

(iii) Where in the new development on site it is to be located; and

(iv) How it is to be re-erected.

The demolition of the former Robin Redmond Centre shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that this feature of heritage interest is preserved and re-erected in the new scheme to provide a memory of a key public building in the old Woodberry Down estate.

10.1.15 Foundations

No demolition or removal of foundations, basement and ground floor structures shall take place until a Foundation Method Statement (FMS) has

been submitted to, and approved in writing by, the Local Planning Authority in consultation with TfL and Thames Water. The FMS shall include the following details:

(i) Details, including location, depth and type of all foundations to be removed; and

(ii) A programme for all foundation removal works, which should reflect the approved phasing plan; and

(iii) Measures to prevent and minimise the potential for damage to sub surface transportation, water and sewerage infrastructure including as a result of ground movement and mitigation of noise and vibration on London Underground infrastructure; and

(iv) Details of monitoring and recording of impacts on underground infrastructure. All foundation removal works associated with the development hereby permitted shall

thereafter take place in full accordance with the approved FMS.

REASON: In the interests of safeguarding the structural integrity and ongoing functioning of underground transportation, water and sewerage infrastructure.

10.1.16 Piling

No construction of foundations, basement and ground floor structures associated with the development hereby permitted shall take place until a Piling Method Statement (PMS) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with TfL and Thames Water. The PMS shall include the following details:

(i) The location, depth and type of piling to be undertaken and the methodology by which all piling works (temporary and permanent) will be carried out; and

(ii) A programme for all piling works (temporary and permanent), which should reflect the approved phasing plan; and

(iii) Details of all proposed foundations; and

(iv) Measures to prevent and minimise the potential for damage to sub surface transportation, water and sewerage infrastructure including as a result of ground movement and mitigation of noise and vibration on London Underground infrastructure;

and

(v) Details of monitoring and recording of impacts on underground infrastructure. All piling works associated with the development hereby permitted shall thereafter take place in full accordance with the approved PMS.

REASON: In the interests of safeguarding the structural integrity and ongoing functioning of underground transportation, water and sewerage infrastructure.

10.1.17 Materials/architectural details to be approved

Prior to the commencement of above ground level development of each phase of development (as defined by the details approved under the scope of condition 3 above), full design details and materials of the facade treatment proposed shall be submitted to, and approved in writing by, the Local Planning Authority. The details submitted shall include the following:

(i) Samples (including sample boards) and specifications of all external materials (including obscure and clear glazing, screening, spandrels and cladding) and full details of junctions/interfaces between different material types; and

(ii) A physical full scale mock-up of a typical facade arrangement for the building relevant

to each block (the extent of which shall be agreed with the Local Planning Authority); and

(iii) Annotated plans at a scale of 1:10 or 1:20 of the details of the typical ground floor facade treatment including residential entrance(s), shop front(s), Seven Sisters Road frontage of energy centre, vehicular accesses to Blocks A and B, and openings to refuse and bicycle storage; and

(iv) Details of all window, door, balcony, surround, soffit, canopy, reveal, glazing and corner detailing types (including details of where used in the development, detailed drawings at a scale of 1:5, 1:10 or 1:20 as appropriate, frames and glazing bars, product literature and samples); and

(v) Details of screening and/or enclosure of roof top plant, including drawings to a scale of

1:20 or 1:50 as appropriate; and

(vi) Details of expansion joint positioning; and

(vii) Details, including samples and annotated plans at a scale of 1:10 or 1:20, of each balcony type and wind screening of balconies; and

(viii) Details of the layout of each lobby type which shall show details of storage of mail and

deliveries and natural lighting and ventilation, including annotated plans at a scale of 1:20 or 1:50; and

(viii) Permanent facade cleaning equipment.

The development shall not be carried out otherwise than in full accordance with the details thus approved.

REASON: To ensure that the finished appearance of the development is acceptable and functions well, protect local amenity and prevent opportunities for anti-social behaviour.

10.1.18 Soil stacks

No soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the buildings hereby permitted other than as shown on the drawings hereby approved, unless agreed in writing by the Local Planning Authority. **REASON:** To ensure a satisfactory appearance to the development and a high quality of design.

10.1.19 Satellite antenna

No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the elevation or roof of any buildings hereby permitted unless or until details of their size and location have previously been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure a satisfactory standard of external appearance and to protect local amenity.

10.1.20 Landscape and public realm environmental scheme

Within 6 months of the commencement of superstructure works hereby permitted, details showing the hard and soft landscaping scheme (the Landscaping and Public Realm Scheme [the LPRS]) for the development shall be submitted to, and approved in writing by, the Local Planning Authority.

The LPRS shall be based on the approved drawing numbers 1519/029 rev H (tree planting plan) and 1519/030 rev B (Landscape Masterplan with Enhancements) and include the following details:

(i) Full specification of all planting including trees, shrubs, sub-shrubs, bedding and lawns (common and Latin names, size and pot height; density or number, stock type, tree girth and method of growth e.g. container or open ground) and extent for all public and shared landscaped areas, including planting for biodiversity and habitat creation, pleached trees to the entirety of the northern boundary of the site other than where access is required, defensible planting to private garden areas and landscape screening to mitigate wind impacts on balconies, and omitting multi-stemmed umbrella planting on corners and other locations where long sight lines are desirable; and

(ii) Section drawings to a scale of 1:5, 1:10 or 1:20 (as appropriate) showing details of all tree and planting pit, permanent planter types, and the construction of the podium garden areas which should provide a minimum of 800mm substrate for planting areas (deeper for trees); and

(iii) Specification of surrounds and/or protection for street trees within the development;

and

(iv) Details of all surface treatments (which shall all be of permeable construction or otherwise allow water percolation to the ground) including location, materiality, colour and finish, and specifications including suppliers or manufacturers details; and

(v) Incorporation of the stone door surround of the former Robin Redmond Community Centre into the landscaping of the public park area in the east of the site; and

(vi) Rain gardens on internal streets; and

(vii) A detailed interim and final landscaping plan for the removal and making good of the temporary vehicle access to Newton Close and the incorporation of the land into the public park, including timescales for delivery; and

(viii) Details of the delivery of living streets within the development, including vehicle barriers or an alternative vehicle control mechanism to restrict the use of the vehicular link around the north west perimeter of the park to access for emergency and refuse/recyclables collection, which shall not include the use of gates, along with the exploration of the provision of pedestrian counters; and

(ix) A strategy for accommodating wayfinding signage within the site; and

(x) All internal and site boundary treatment types and locations; and

(xi) Design of all street furniture types and locations; and

(xi) Any play equipment to be provided (including the specifications, manufacturer and British or European Standards of that equipment). All planting, seeding or turfing shall be implemented in the first planting season following first occupation of the relevant phase, as defined by the approved phasing plan, with the exception of the final landscaping plan for the temporary vehicle access to Newton Close which shall be implemented in accordance with the details approved in respect of (vii) above. Any plants or trees that die or are removed, damaged or diseased within a period of ten years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species. All hard landscaping shall be carried out in full prior to occupation of the relevant phase of the development, as defined by the details approved under the scope of condition 3 above, with the exception of the final landscaping plan for the temporary vehicle access to Newton Close which shall be implemented in accordance with the details approved in respect of (vii) above. The development shall not be carried out otherwise than in full accordance with the details thus approved.

REASON: To ensure that the external appearance of the site is acceptable, provides acceptable formal and informal leisure facilities for all ages, and protects and enhances biodiversity.

10.1.21 Landscape and Public Realm Environment Management and Maintenance Scheme

The development hereby permitted shall not be occupied unless and until a Landscape and Public Realm Management and Maintenance Scheme (LPRMMS) including full details setting out how the hard and soft landscaped areas identified in the Landscaping and Public Realm Scheme (approved pursuant to condition 20 above) are to be maintained and managed, have been submitted to and approved in writing by the Local Planning Authority.

The LPRMMS shall include the following details:

- (i) the proposed quantum of area; location; specification;
- (ii) long term design objectives in terms of public use, evolution of appearance, maintenance and addressing climate change;
- (iii) A long term management plan which should include responsibilities and maintenance schedules for all landscaped areas and public realm including pleaching, weeding and mowing, irrigation and rain gardens, and vehicular access to the park; and, The approved LPRMMS shall be implemented in full prior to occupation of the relevant part of the development, fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect, enhance and maintain the landscape features and character of the area.

10.1.22 Public access

The public areas of open space as shown on the approved LPRS shall remain accessible to the public at all times unless otherwise agreed in writing by the Local Planning Authority. In circumstances where occupiers of properties within the development hereby permitted are detrimentally impacted by anti-social behaviour details of proposed hours for limited public access (including a plan highlighting the extent of the limitation and details of any gating, which should be kept locked open during hours of opening) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any such restrictions coming into operation.

REASON: To ensure adequate permeability of the site and maintain an adequate pedestrian and cycling environment.

10.1.23 Landscaping accessibility

All communal and public landscaping provided as part of the development hereby permitted, shall be fully accessible and useable by disabled people,

including wheelchair and scooter users, people with sight impairment and people with prams or pushchairs.

REASON: To ensure that the site is accessible and usable for all.

10.1.24 Public art

Prior to occupation of the development hereby permitted, a Public Art Strategy shall be submitted to, and approved in writing by, the Local Planning Authority, for the integration of

art into the public realm, setting out processes for engaging artists and the community in the selection and procurement of an art work in strategic locations within the public realm of the site. The approved Public Art Strategy shall be implemented in full within 1 year of first occupation of the development.

REASON: To enhance the public realm, legibility and the appearance of the development.

10.1.25 Living roofs

Prior to the commencement of above ground level development of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the construction, planting regime, irrigation, and long term maintenance of bio-diverse, substrate-based extensive living roof (of variable depth of no less than 80mm, not including depth of vegetative mat), including sections at a scale of 1:20, of the living roof areas shown on the approved plans shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to first occupation of the relevant phase of development and shall thereafter be retained and maintained.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, to promote sustainable urban drainage and to enhance the performance and efficiency of the proposed building.

10.1.26 Tree Protection

The development shall be undertaken in full accordance with the recommendations of the Mayhew Consultancy Arboricultural Report (Tree Survey, Arboricultural Impact

Assessment and Tree Protection Plan) dated November 2019, and specifically the proposed measures of protection, undertaken in accordance with BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction-Recommendations', for the trees identified to be retained in Appendix B. The barriers and/or ground protection shall be erected before any equipment, machinery

or materials are brought onto the site and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

The sitting of barriers/ground protection shall not be altered, nor ground levels changed, nor excavations made within these areas without the written consent of the Local Planning Authority. In the event of any tree(s) dying, being removed or becoming seriously damaged or diseased within 5 years from the completion of the development, it shall be replaced within the next

planting season with another of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To safeguard existing trees on and neighbouring the site to be retained and ensure a satisfactory setting and external appearance to the development.

10.1.27 External lighting

Prior to occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of an external lighting strategy for streets, public realm and all other external areas shall be submitted to, and approved in writing by, the Local Planning Authority. The external lighting strategy, which shall be based on the recommendations set out in Chapter 16 (Ecology and Nature Conservation) and appendices thereto of the Environmental Statement and Secured by Design principles, shall include, inter alia, the following details:

(i) Number and location of proposed luminaires, luminaire light distribution type, lamp type, lamp wattage and spectral distribution; stand type and mounting height, orientation/direction, beam angle (which should be as low as possible), projected light distribution maps of each lamp including light spillage on to any other features such as buildings, watercourses and trees, and details of any hoods or cowls, and type of control gear and lighting regime (timing and duration of illumination); and

(ii) A strategy for the long-term ownership, management and long-term maintenance of the external lighting for the lifetime of the development. The approved external lighting strategy shall be implemented in full prior to occupation of the relevant phase of development, and maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enhance the character and ecology of the development, to provide undisturbed refuges for wildlife, safeguard public safety and in the interests of prevention of crime and anti-social behaviour.

10.1.28 SuDS

Prior to commencement of superstructure works hereby permitted full particulars of a Sustainable Drainage System (SuDS) shall be submitted to, and approved in writing by, the Local Planning Authority. The SuDS shall be based on the details set out in Chapter 15 (Water Resources, Drainage and Flood Risk) of the Environmental Impact Assessment including the

Executive Summary and the Burohappold Engineering Woodberry Down Phase 3 Flood Risk

Assessment ref 0041665 rev 04 dated 16/05/2019, and shall include the following details:

(i) A full detailed specification, including appropriate calculations, construction details and drainage layout, of a site specific SuDS that achieves greenfield runoff rates in surface water run-off rates in respect of the new build elements compared to the existing run-off rates, which shall include green and blue roofs, rainwater harvesting, filter strips/drains, bioretention systems, rain gardens, swales, underground attenuation systems and the flow control system and reduced reliance upon the use of underground attenuation tanks; and

(ii) A site specific strategy for the ownership, management and long-term maintenance for the lifetime of the development for all elements of the surface water drainage system proposed on the site; and

(iii) Details of run-off to local waterways.

The development shall not be carried out otherwise than in accordance with the details

thus approved, which shall be implemented in full in respect of each phase of development (as defined by the details approved under the scope of condition 3 above) prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

REASON: To address climate change and ensure that the development will provide a sustainable drainage system.

10.1.29 FRA - additional details (land level changes)

Prior to commencement of the superstructure works hereby permitted full details of the proposed land levels of the site (including drainage low points along the carriageways) and ground floor finished floor levels, which shall comply with the recommendations of section

6.4 of the Burohappold Engineering Woodberry Down Phase 3 Flood Risk Assessment ref 0041665 rev 4 dated 16/05/2019, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full prior to the first occupation of the relevant phase of development, and maintained as such for the lifetime of the development.

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

10.1.30 Parking Design and Management Plan

Prior to the occupation of the development, details of the Parking Design and Management Plan (DSMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The PDMP shall include the following details:

(i) Safe design of the agreed number of off street car parking spaces and access for pedestrians and cyclists and minimisation of conflict between user groups; and

(ii) Appropriate provision of blue badge parking and electric vehicle charging points; and

(iii) Include details of how additional blue badge car parking could be provided in the future through conversion of standard car parking spaces; and

(iv) Permanent mechanisms for prevention of non-car parking areas to be used for that purpose; and

(v) Permanent mechanisms for securing the disabled parking bays for use by disabled residents only and remaining available for that use in perpetuity for the lifetime of the development;

(vi) Ensure that use of car parking for the relevant block is actively controlled through measures set out in the DSMP; and

(vi) Set out the measures to enforce the car parking arrangements for the relevant block. The approved PDMP shall be implemented in full prior to occupation of the phase of development, fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers.

10.1.31 Private bicycle storage

Prior to the occupation of the development hereby permitted, full details of secure, accessible, on site bicycle storage including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision of bicycle spaces is made within the development in the interests of discouraging car use, relieving congestion in surrounding streets, safeguarding highway safety and improving highway conditions in general.

10.1.32 Commercial/community bicycle storage - ancillary accommodation

Prior to the occupation of each unit of commercial/community floorspace of Blocks A and B, full details of internal lockable space and associated facilities such as showers to be used in association with the commercial/community floorspace within each unit shall be submitted to, and approved in writing by,

the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of each unit of commercial/community floorspace and shall thereafter be retained and maintained.

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, safeguarding highway safety and improving highway conditions in general.

10.1.33 Public bicycle parking

Prior to the first occupation of the development hereby permitted, details of 78 visitor bicycle parking spaces including location, layout, stand type and spacing, shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as approved shall be implemented prior to the first occupation of the development and shall thereafter be retained and maintained.

REASON: To ensure that adequate provision for the parking of bicycles is made for future users and visitors of the development in the interest of relieving congestion in surrounding

streets, safeguarding highway safety and improving highway conditions in general.

10.1.34 Delivery and Servicing Management Plan

Prior to the occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the Delivery and Servicing Management Plan (DSMP) for both residential and commercial/community uses within that Block or Building shall be submitted to, and approved in writing by, the Local Planning Authority. The DSMP(s) shall:

(i) Seek to rationalise the number of delivery and servicing with the aim of reducing traffic impacts for the relevant block; and

(ii) Include, inter alia, details of the location and management of servicing areas; location,

number and timings of deliveries and collections (which should avoid anti-social hours); the types of delivery and collection vehicles; and

(iii) Ensure that delivery space and time for the relevant block is actively controlled through measures set out in the DSMP; and

(iv) Set out the measures to enforce the servicing arrangements for the relevant block.

The approved DSMP(s) shall be fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers.

10.1.35 Refuse/Recyclables Management Plan

Prior to the occupation of each phase of development (as defined by the details approved under the scope of condition 3 above), details of the refuse/recyclables management plan (RRMP) for both residential and commercial/community uses within that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority.

The RRMP(s) shall include (a) details of the location and management of storage areas, details of the refuse and recyclables containers, quantum of storage provided, location, number and timings of deliveries and collections, and details of how the refuse/recyclables containers will be moved from the storage areas to collection points, and (b) set out the measures to enforce the servicing arrangements for the relevant phase of development. The approved RRMP(s) shall be fully implemented for the life of the development and all refuse/recycling shall be managed in accordance with the approved RRMP(s), unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenity of neighbouring occupiers and to safeguard public health through the reduction of pollution and likelihood of vermin infestation.

10.1.36 Energy Centre 1

Prior to commencement of the development hereby permitted (other than works of demolition) a full new energy strategy and low carbon transition plan, its timeline for implementation, details of the technology, design and indicative capacity of the energy centre(s) to supply energy to the masterplan site wide district heat network and potential extension to adjoining developments, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.37 Energy Centre 2

Prior to the commencement of the use of the energy centre, full details of the combined heat and power unit and boilers, or alternative technologies, installed in the energy centre and the details of any emissions mitigation equipment installed, shall be submitted to, and approved in writing by, the Local Planning Authority. The technology units installed in the energy centre shall meet, or improve upon, the emissions standards and technical details associated with air quality set out in the Environmental Statement and Air Quality Impact Assessment or any details approved under the scope of condition 36 above, and shall include details of long term monitoring and

maintenance adequate to demonstrate continued compliance with the emission limits.

The development shall be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.38 Energy centre 3

On or before 1st January 2023, full details, including drawings and technical specifications, of the energy centre shall be submitted to, and approved in writing by, the Local Planning Authority.

The submitted details shall include the following details:

(i) Detailed design, of the distribution network, including locations of connection points and heat exchangers, to KSS1, KSS3 and Phase 2, including details of capacity, reduction and mitigation measures for heat losses from the pipe length of the whole network (both buried and block pipework), and insulation and design temperatures and its delivery; And

(ii) Sections and floor plans to an appropriate scale showing the layout of the plant in the energy centre, demonstrating that sufficient space is provided for the approved equipment and additional equipment to be installed in future; and

(iii) A site specific strategy for the ownership, management and long-term maintenance for the lifetime of the development for all elements of the operation of the energy centre; and The approved details shall be fully implemented for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.39 Energy centre 4

On or before 1st January 2026, the following details shall be submitted to, and approved in writing by, the Local Planning Authority in order to confirm that the Phase 3 Energy Centre is installed, commissioned and operational in respect of its connections to KSS1, KSS3 and Phase 2;

i) Detailed drawings showing the as built routing and sizing of the District Heat Network that connects the KSS1, KSS3 and Phase 2 sites to the Phase 3 Energy Centre, which shall be sufficient to allow expansion and connection to future phases of development and Kick Starter 4; and

ii) Confirmation that all temporary plant rooms in KSS1, KSS3 and Phase 2 have been decommissioned and connection of these elements of the

Woodberry Down Development to the District Heat Network has been undertaken; and

iii) confirmation that Phase 3 is also connected to its Energy Centre.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.40 Energy centre 5

Within 3 months of the commencement of the use of the Phase 3 Energy Centre the applicant shall submit in writing details of tests undertaken on the installed systems to demonstrate that the emissions standards set out in the Air Quality Impact Assessment or any details approved under the scope of condition 37 above have been met, to the Local Planning Authority. The systems shall be maintained thereafter in such a way as to ensure that these standards continue to be met for the life of the development.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards local, regional and national commitments to a net-zero carbon emission future.

10.1.41 Solar Photovoltaic Panels

Prior to the first occupation of each phase of the development (as defined by the details approved under the scope of condition 3 above), full details of solar photovoltaic panels on each building, to be installed in conjunction with biodiverse roofs, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved equipment shall be installed in full accordance with the approved details prior to the first occupation of the relevant phase of the development and shall be retained in working order thereafter.

REASON: To ensure that the development is adequately sustainable.

10.1.42 Air permeability testing

Prior to final occupation of the occupation of the development, certification confirming that the development has achieved an FEE of 32.34 kWh/m²/yr and an average Air Permeability of 4 m³/h/m² at 50Pa shall be submitted to, and approved in writing, by, the Local Planning Authority. The development shall be carried out in full accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and to protect local air quality and contribute towards the maintenance or to prevent further exceedances of National Air Quality Objectives.

10.1.43 NSC - Non Road Mobile Machinery

Only Non Road Mobile Machinery which complies with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for

Non-Road Mobile Machinery' will be present on or used at the development site during the demolition and construction process. All NRMM must be 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.

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.

10.1.44 Fixed plant

The total noise levels from any fixed plant at the site shall at all times be 10dB(A) below the background noise level when measured at any nearby residential unit in accordance with BS4142:1997.

REASON: To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery.

10.1.45 Microclimate

Notwithstanding the Pedestrian Level Wind Microclimate Assessment produced by RWDI dated December 2018 (appendices to Chapter 9 of the Environmental Statement), any submission to the Local Planning Authority pursuant to conditions 17 and 20 above shall be accompanied by an updated Wind Survey demonstrating how a) appropriate mitigation measures within the podium gardens and at ground floor level have been incorporated into the landscaping proposals and architectural detailing and b) the balconies located within the development have appropriate screening/planting to enable a comfortable sitting environment. The details shall be approved in writing by the Local Planning Authority and remain in perpetuity for the lifetime of the development.

Reason: To ensure that the mitigation measures identified in the submitted wind study are taken forward in the interest of the pedestrian environment and quality of private amenity spaces.

10.1.46 Hours of use - A1 and A2

The retail (Use Class A1) and professional (Use Class A2) uses hereby permitted shall only be open to the public between (08:00) hours and (20:00) hours Monday to Saturday and (09:00 to 16:00) on Sundays and Bank and other Public Holidays, unless agreed in writing with the Local Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.47 Hours of use - A3, D1 and D2

Any restaurant/cafe (Use Class A3) or community (Use Class D1 and D2) uses hereby permitted shall only be open to the public between 07:00 hours and 23:00 hours on any day, unless agreed in writing with the Local Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.48 Hours of use - A3, D1 and D2 outdoor seating

Any outdoor seating serving restaurant/cafe uses (Use Class A3) or community (Use Class D1 and D2) uses hereby permitted, shall not be used for patron seating or congregation between 21:30 and 10:00 on any day, unless agreed in writing with the Local Planning Authority.

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb neighbouring occupiers or prejudice local amenity generally.

10.1.49 Operational Management Plan

Prior to occupation of the units of each commercial/community use hereby permitted, a detailed Operational Management Plan (OMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The OMP(s) shall include (a) details of measures to mitigate any noise and disturbance arising from the commercial and community uses hereby approved, and (b) set out the measures to enforce the OMP for the relevant unit. The operation of the approved uses 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 that occupiers of neighbouring premises do not suffer a loss of amenity by reason of general disturbance.

10.1.50 Mechanical and passive ventilation - commercial/community uses and uses falling within A3 Prior to the occupation of Blocks A and B, full details of the routing of mechanical ventilation and the passive provision of associated ducting for all commercial units shall be provided to and approved by the Local Planning Authority. The approved details shall be installed and commissioned prior to occupation of Blocks A and B and shall be permanently maintained in proper working order thereafter. Prior to commencement within the development for any purposes falling within Use Class A3 full details of any mechanical ventilation, extraction, condensing or other plant associated with the use of each such unit shall be submitted to, and approved by, the Local Planning Authority. Such details are to include full details including manufacturers' specifications of all filtration, deodorising systems, noise,

odour and vibration output and control, termination points and maintenance schedule. The total noise level from externally fixed plants shall be 10 dB(A) below the background measured LA90 level at the nearest noise sensitive premises at any time. The method of assessment shall be carried out in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. A test shall be carried out prior to the discharge of this condition to show the above criterion required shall be met and the results submitted to the Local Planning Authority. The approved details shall be installed and commissioned prior to commencement of any A3 use(es) and shall thereafter be retained and maintained in proper working order for the lifetime of the use(es).

REASON: To protect the amenity of future occupiers and the occupiers of neighbouring properties.

10.1.51 BREEAM

The non-residential units within the development as designed, specified and built shall achieve a BREEAM rating of "very good" (with a minimum target of 65% to be achieved).

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

10.1.52 Sound insulation 1

Prior to commencement of superstructure works on Blocks A and B, details of a sound insulation scheme, including impact sound insulation, to be implemented between the residential accommodation and any non-residential uses (including car park areas) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details, which should achieve a minimum level of insulation of R_w 55dB, and higher if music is to be played in the unit at levels above 75 dB LAeq or with

particularly high levels of bass content, shall be installed prior to occupation of Blocks A and B and shall be permanently retained and maintained thereafter.

REASON: To provide an appropriate standard of accommodation and protect the amenity of future occupiers and the occupiers of neighbouring properties.

10.1.53 Window Energy Efficiency

The g-value of all windows and glazed doors must be equal to or less than 0.40.

REASON: In the interests of sustainable development.

10.1.54 Accessible Dwellings

10% of the dwellings hereby approved as shown on the approved plans shall be constructed and fitted out in compliance with Building Regulations Requirement Part M4(3) (or any subsequent replacement) prior to first occupation. The remaining dwellings shall be constructed and fitted out in

compliance with and to a minimum of Building Regulations Requirement Part M4(2) standard (or any subsequent replacement) prior to first occupation.

REASON: To ensure that the development is adequately accessible for future occupiers.

10.1.55 Accessibility - level floors

Level access shall be provided to all residential flats and the ground floor uses hereby approved before the relevant part of the development is first occupied.

REASON: To ensure the development is fully accessible.

10.1.56 Secured by Design

Prior to occupation of each building or part of a building, a Certificate of Compliance shall be obtained that confirms achievement of the relevant Secured by Design Guide.

REASON: In the interest of amenity and creating safer, sustainable communities and residential amenity.

10.1.57 Privacy Measures

The openings to the north west elevation of the units located at all levels in the north corner of Building A3 and all openings to the west elevation of Building A4 shall be obscure glazed and non-opening below a height of 1.8m above finished floor level.

The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of preventing mutual overlooking of residential units within the development and thereby securing an adequately high quality of accommodation for future occupiers.

10.1.58 Water

The development hereby approved shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

10.1.59 Privacy Measures

The openings to the north west elevation of the units located at all levels in the north corner of Building A3 and all openings to the west elevation of Building A4 shall be obscure glazed and non-opening below a height of 1.8m above finished floor level. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: In the interests of preventing mutual overlooking of residential units within the development and thereby securing an adequately high quality of accommodation for future occupiers.

10.1.60 Water 1

The development hereby approved shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

10.1.61 Water 2

The development hereby approved shall not be occupied until confirmation has been provided that either:-all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

10.1.62 Water 3

The development hereby approved shall not be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity

is made available to accommodate additional demand anticipated from the new development.

10.1.63 Water 4

No construction shall take place within 5m of the water main. Information Detailing how the developer intends to divert the asset/align the development,so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water Any construction must be undertaken in accordance with the terms of the approved information.

REASON: The proposed works will be in close proximity to underground strategic water main, utility infrastructure and have the potential to impact on local underground water utility infrastructure.

10.2 Recommendation B

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 Director of Legal and Governance Services:

Affordable housing provision and mix, including GLA compliant appropriate review mechanism;

and Securing a car free development (in respect of market occupiers and “new” affordable housing occupiers) and a car capped development in respect of “existing” affordable housing occupiers (with a falling away of car parking privileges over time); and

Conversion of access to Newton Close from vehicular traffic to green living street; and

Provision of Metropolitan Police Service dedicated ward office; and Payment of contributions towards electric vehicle car club (and associated on street electric vehicle charging points);

and Payment of CAVAT value as compensation for harm to public amenity through loss of “Happy Man” street tree;

and Payment of the costs of any works associated with the development required to public highways, including Seven Sisters Road and Woodberry Grove, whether within the control of TfL or LBH; and

Construction of internal streets to London Borough of Hackney specification prior to adoption; and

Payment of contribution to the Seven Sisters Road improvement scheme; and

Payment of contribution towards improvement and maintenance of public open space local to the development;

and Payment of contribution to the LBH Carbon Offset fund;

and Participation in the LBH Hackney Works Scheme; and

Participation in the Considerate Constructors Scheme; and Payment of monitoring fees.

Architect, Design and Heritage

“To use all reasonable endeavours to ensure that the Architect continues to be employed as the project architect through the whole of the Construction Phase and until completion of the Development; The Owner shall not submit any drawings relating to details of the design of the Development that are required to be submitted pursuant to conditions of the Planning Permission unless such drawings have been prepared or overseen by the Architect. In the event that changes to the Architect or Heritage Consultant become necessary due to circumstances beyond the control of the Owner, the Owner shall immediately notify the Council of this fact and the Owner shall be at liberty to appoint another architect for the purpose of the completion of the Development.” 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.

10.2. Recommendation C

That 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 heads of terms and/or recommended conditions 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).

11. INFORMATIVES

11.1. Building Control

11.2. Hours of Building Works

11.3. Naming and Numbering

11.4. CIL Informative

11.5. S106 Informative

11.6. NPPF

11.7. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near the mains (within 3m) checks will be required to ensure that the development doesn't reduce capacity, limit repair or maintenance

activities during and after construction, or inhibit the service in any other way. The proposed development is located within 15m of Thames Water's underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.

11.8. Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

11.9. The Demolition and Construction Management and Logistics Plan (DCMLP) should be drafted in accordance with TfL's CLP guidance on Construction Logistics Plans which can be accessed at <http://content.tfl.gov.uk/construction-logistics-plan-guidance.pdf>.

11.10. Adoption of internal highways within the development, including restricted access streets, will be conditional on technical approval of the final design which should be constructed to the LBH adoptable highways standard of:

- Full depth carriageway construction with DBM surface course; and
- 600x600 fibre reinforced artificial stone paving laid on sand; and cement bed and granular sub-base with 1:40 crossfall; and
- 150x300 granite kerb with 120mm-140mm kerb face.

11.11. The proposed bicycle storage and parking facilities should be designed in accordance with TfL's best practice guidance which is contained within TfL's London Cycle Design Standards chapter 8 <http://content.tfl.gov.uk/lcdschapter8-cycleparking.pdf>.

11.12. The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods.

11.13. Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your

development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipe>

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

11.14. Reference shall be had to Guidance on the Control of Odour & Noise from Commercial Kitchen Exhaust Systems published by DEFRA

(www.defra.gov.uk/environment/noise/research/kitchenexhaust/index.htm).

11.15. The applicant should seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) for further guidance on the SBD requirements for this site. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or during office hours by telephone on 0208 217 3813.

11.16. The integration of automatic sprinkler systems are highly recommended throughout the development hereby permitted in the interests of fire safety.

11.17. "Landscaping" means the treatment of land (other than buildings) being the site or part of the site in respect of which this planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, planting of trees, hedges, shrubs or grass, formation of banks, terraces or other earth works, laying out of gardens or courts, and other amenity features. Please note that an alternative model of drinking fountain will be required as the model shown in submitted documentation is not the new standard type being used across London, which is more robust whereas the type shown is non-standard and will as a result be harder to maintain.

11.18. Please note that any expansion or intensification of the use of the energy centre hereby provided will require the benefit of consent regardless of whether additional associated plant and equipment is fully internal to the development by virtue of that fact that any such expansion or intensification would represent a deviation from details approved under condition.

ADDITIONAL INFORMATIVE (as per the addendum)

Information detailing how the developer intends to divert water assets or align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, shall be submitted to Thames Water prior to commencement of construction. Any construction must be undertaken in accordance with the terms of the approved information.

7 Delegated decisions

Noted.

Duration of the meeting: 18:30 – 21:45 hours

Signed:

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Chair of Planning Sub-Committee, Councillor Vincent Stops

Contact:

gareth.sykes@hackney.gov.uk