

ADDRESS: Land at Wimbourne Street London N1 7HB	
WARD: Hoxton West	REPORT AUTHOR: Alix Hauser
APPLICATION NUMBER: 2020/1667	VALID DATE: 12/06/2020
DRAWING NUMBERS: (EX) 001 Rev P01; (EX) 010 Rev P01; (00) 001 Rev P01; (00) 010 Rev P01; (00) 020 Rev P01; (00) 100 Rev P01; (00) 101 Rev P01; (00) 102 Rev P01; (00) 103 Rev P01; (00) 104 Rev P01; (00) 105 Rev P01; (00) 106 Rev P01; (00) 107 Rev P01; (00) 108 Rev P01; (00) 110 Rev P01; (00) 111 Rev P01; (00) 112 Rev P01; (00) 113 Rev P01; (00) 114 Rev P01; (00) 115 Rev P01; (00) 116 Rev P01; (00) 130 Rev P01; (00) 140 Rev P01; (00) 141 Rev P01; (00) 142 Rev P01; (00) 143 Rev P01; (00) 144 Rev P01; (00) 145 Rev P01; (00) 146 Rev P01; (00) 147 Rev P01; (00) 148 Rev P01; (00) 149 Rev P01; (00) 150 Rev P01; (00) 151 Rev P01; (00) 152 Rev P01; (00) 153 Rev P01; (00) 160 Rev P01; (00) 161 Rev P01; (00) 162 Rev P01; (00) 163 Rev P01; (00) 164 Rev P01; (00) 165 Rev P01; (00) 165 Rev P01; (00) 167 Rev P01; (00) 168 Rev P01; (00) 169 Rev P01; (00) 200 Rev P01; (00) 201 Rev P01; (00) 202 Rev P01; (00) 203 Rev P01; (00) 210 Rev P01; (00) 211 Rev P01; (00) 212 Rev P01; (00) 213 Rev P01; (00) 301 Rev P01; (00) 302 Rev P01; (00) 303 Rev P01; (00) 310 Rev P01; (00) 311 Rev P01; (31) 400 Rev P01; (31) 410 Rev P01; (31) 411 Rev P01; (31) 412 Rev P01; (31) 420 Rev P01; (31) 421 Rev P01; (31) 430 Rev P01; (31) 431 Rev P01; (31) 432 Rev P01; (31) 440 Rev P01; (31) 441 Rev P01; (31) 450 Rev P01; (31) 460 Rev P01; (31) 461 Rev P01; (31) 470 Rev P01; (31) 600 Rev P01; (31) 601 Rev P01 (Precast Types 2); (31) 601 Rev P01 (Precast Types 3); (31) 602 Rev P01; (31) 604 Rev P01; (31) 605 Rev P01; (33) 400 Rev P01; (33) 401 Rev P01; (33) 405 Rev P01; (33) 411 Rev P01; (33) 412 Rev P01; (81) 400 Rev P01; (82) 600 Rev P01; (82) 601 Rev P01; (90) 900 Rev P01; (90) 901 Rev P01; (90) 910 Rev P01; (90) 920 Rev P01; (90) 999 Rev P01; L/DE/404/17160/D04 Rev PL02; L/DE/405/17160/D05 Rev PL01; L/DE/406/17160/D06 Rev PL02; L/DE/407/17160/D07 Rev PL02; L/DE/408/17160/D08 Rev PL01; L/S/001/17160/PGA01 Rev PL01; L/S/002/17160/PH02 Rev PL02; L/S/003/17160/PP03 Rev PL01; L/S/301/17160/SE01 Rev PL01; L-SC-801-17160-MS Rev PL02; L/SC/802/17160/PS Rev PL01; Design & Access Statement (Mikhail Riches, May 2020) Archaeological Desktop Survey (Met Consultancy Group, June 2018); Preliminary Ecological Appraisal (The Ecology Consultancy. February 2020); Arboricultural Impact Assessment (SES, May 2020); Below Ground Drainage and Surface Water Strategy (February, 2020); Civil Engineering Drainage Strategy (Momentum, August 2020); Ground Investigation Report (GEA, July 2020) External Lighting Plan (392-GBEC-00-XX-DR-M-Ss:70:80:25-0001-S1-P04); Landscape Statement (BBUK Studio Limited, May 2020); Air Quality Assessment (BWB, August 2020); Acoustic Assessment (Cass Allen, April 2020) Detailed Unexploded Ordnance Risk Assessment (MACC, April 2018); Fire Safety Statement (Pell Frischmann, August 2020) Technical Fire Safety Strategy Report Wimbourne Street North (August 2020) Technical Fire Safety Strategy Report Wimbourne Street South (August 2020)	

<p>Health Impact Assessment (Tibbalds, August 2020) Planning & Affordable Housing Statement (Tibbalds, June 2020); Daylight and Sunlight Report (Waldrams, March 2020); Signage Report (Mikhail Riches, May 2020); Parking Stress Survey (Alpha Parking, February 2020); Transport Statement (BWB, August 2020); Be Clean SAP Calculation (20/02/2020); Be Green SAP Calculation (20/02/2020); Be Lean SAP Calculation (20/02/2020); BRUKL Output Document - Cafe (February 2020) Wimbourne North M&E Strategy Report (Greengauge, February 2020); Wimbourne North TM59 Overheating Assessment (Greengauge, February 2020); Wimbourne South M&E Strategy Report (Greengauge, February 2020); Wimbourne South TM59 Overheating Assessment (Greengauge, February 2020).</p>	
<p>APPLICANT: London Borough of Hackney, Housing Supply Programme</p>	<p>AGENT: Tibbalds Planning and Urban Design 19 Maltings Place 169 Tower Bridge Road SE1 3JB London</p>
<p>PROPOSAL: Demolition of existing garage buildings and construction of one six (6) and one eight (8) storey residential building providing 59 residential units, a ground floor commercial space (A1 use class), a new games area, new and replacement car and cycle parking and associated landscape and public realm works.</p>	
<p>POST SUBMISSION REVISIONS: Submission of Health Impact Assessment and Fire Strategy; Submission of revised Drainage Strategy, Air Quality Assessment and Transport Statement.</p> <p>Given the scope of the minor revisions within each of the documents further consultation was not required.</p>	
<p>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of Unilateral Undertaking (UU).</p>	
<p>NOTE TO MEMBERS: This application is presented to the Planning Sub-Committee as it constitutes both Major development and a Council own application.</p>	

ANALYSIS INFORMATION

ZONING DESIGNATION

	Yes	No
CPZ	Zone A	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Employment Area		X

LAND USE

	Use Class	Use Description	Floorspace (sqm)
Existing	C3	Garages ancillary to residential use	
Proposed	C3	Residential (59 units)	5,572
	A1	Retail	108
		Total Proposed	5,680

PARKING DETAILS

	Parking Spaces (General)	Parking Spaces (Blue Badge)	Bicycle Storage
Existing	29	0	0
Proposed	16 (on site) 5 (re-provided on street)	6	152

RESIDENTIAL TENURE

	1 bed	2 bed	3 bed	4+ bed	Total
Social Rent	12	8	2	0	22 (37%)
Intermediate (Shared Ownership)	4	4	3	0	11(19%)
Total	16	12	5	0	33 (56%)
Market	10	15	1	0	26 (44%)
Total	26	27	6	0	59 (100%)

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 The application site comprises a rectangular shaped parcel of land located in the Wenlock Barn Estate located on the western side of New North Road and straddling Wimbourne Street to both the north and south. The site contains 27 vacant garages, associated hardstanding used for CPZ car parking, communal open space and a playground.
- 1.2 The site is bounded by Bracklyn Court to the north and west, New North Road to the east and Cropley Court to the south. Shoreditch Park lies opposite the site on the eastern side of New North Road. The red line boundary extends across part of the public footway on New North Road and extends to include the hardstanding outside of Cropley Court, incorporating the CPZ parking bays.
- 1.3 The site lies within a predominantly residential context, with the exception of some commercial and retail uses to the west along New North Road and some office and industrial uses on Eagle Wharf Road to the north. The Britannia Leisure Centre is located approximately 300m to the east of the site. The surrounding built form varies from 4 to 11 storeys in height.
- 1.4 In terms of transport, local bus services run along New North Road and Wimbourne Street. A bus stop servicing bus route no. 394 is located on the north side of Wimbourne Street adjacent to the site. Old Street Station is located approximately 900m to the south. As a result, the PTAL accessibility rating for the site is 5 (on a scale of 1a – 6b where 6b is the most accessible). The site is covered by a controlled parking zone. The site is therefore considered to have very good accessibility to public transport links.

2.0 CONSERVATION IMPLICATIONS

- 2.1 In terms of heritage assets, there are no statutory listed or locally listed buildings or structures on the Site. Wimborne House on the corner of Wimbourne Street and New North Road, is a building of townscape and historic value and can be considered as a non-designated heritage asset. The closest locally listed buildings are located at 51-71 Cropley Street, approximately 170m from the site. No statutory listed buildings are located within close proximity of the site.
- 2.2 The site is not in a conservation area.

3.0 RELEVANT HISTORY

- 3.1 There is no relevant recent planning history pertaining to the site.

4.0 CONSULTATIONS

- 4.1 Date Statutory Consultation Period Started: 15/06/2020
- 4.2 Date Statutory Consultation Period Ended: 16/07/2020
- 4.3 Site Notices: Yes (2 on New North Road and 2 on Wimbourne Street).
- 4.4 Press Advert: Yes. (Hackney Gazette 18/06/2020; Hackney Today 22/06/2020)

Neighbours

- 4.5 Letters of consultation were sent to 462 adjoining owners/occupiers. At the time of writing the report, 11 objections were received in the form of a petition recording 7 objections and 4 individual representations. 1 comment in support was received. These representations are summarised below:

Objecting to developing the site;

- Inadequate height and density for the location;
- Overcrowding as a result of the application;
- Loss of the Lime Tree;
- Loss of light and overshadowing to nearby residential properties;
- Loss of privacy values and overlooking to nearby residential properties;
- Increased parking pressure;
- Loss of views to the park;
- Loss of value to surrounding properties;
- Impact and disruption to neighbouring occupiers during the course of construction, particularly as people are now working from home due to Covid-19;
- Inadequate time to collate a coordinated response because of the ongoing Covid-19 pandemic;
- Request for compensation to pay for alternative accommodation whilst these works are in progress as health conditions require relocation;
- The Council lacked transparency because the detail of the project has not been correctly provided and so the project is invisible to proper scrutiny.

In favour of developing the site;

- Welcome the planting of 40 new trees.
- 4.6 The matter of the timing of the application is not a matter the Planning Service has control over and Central Government guidance has been given to ensure Local Planning Authorities continue to determine planning applications over this period, despite the imposed lockdown and associated constraints. Objections and comments received after 16 July 2020, being the statutory deadline for comments, have been taken into consideration with the assessment of the proposal.
- 4.7 The remaining above comments are addressed within the assessment section of this report.

Statutory / Local Group Consultees

- 4.8 Historic England GLASS: No objection subject to pre-commencement conditions.
- 4.9 Natural England: No comments to make on the application.

The application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

- 4.10 Met Police: No objection subject to conditions and continued involvement.
- 4.11 TfL: No objection subject to conditions.

Cycle parking, motorcycle parking, Delivery and Service Plan and Construction Logistics Plan should be secured via condition. Travel Plan measures should be secured via a S106.

- 4.12 Design Review Panel: Comments provided in the last design review panel, held on 13/12/2017. It should be noted that the meeting was held prior to the detailed development of Wimbourne South Block which was included within the proposal from early 2018.

Proposal

The proposed development is for a single building of 4 and 8 storeys (25.7m high) on the site of the garages immediately to the south of Parr Court (approx. 30m high). To the east of the site is New North Road and Shoreditch Park. To the south is Wimbourne Street and the locally listed Wimborne House. To the west is the 4 storey block of Bracklyn Court 1-40. The scheme will provide 38 residential units, commercial space and changes to landscaping across the wider site. The team also presented a possible additional site immediately to the south which would come forward in conjunction which they refer to as Wimbourne B.

The site is being progressed as part of Hackney Council's Housing Supply Programme. The programme has identified infill opportunity sites within existing Hackney housing estates. In this case the opportunity site consists of the unused garages associated with Parr Court.

Urban context

The Panel recognise the challenges of the local context which has issues of discontinuous frontage, fragmented built fabric, and confusion between public and resident-only open space.

To the south of the site is Wimborne House, a locally listed commercial building. An entrance to Shoreditch Park is on the opposite side of the busy New North Road.

Parr Court has well-used primary north entrance and a south entrance facing the site which leads to the tower's bin store. The tower is surrounded by permeable public space and has roads on three sides.

Form massing and height

The Panel understand the changes that have been made to the proposal's massing since the original concept. An earlier front set back of the top floor/s was related to the height of Wimborne House with a taller mass behind. Recent proposals show the step back filled-in to bring the 8 storey mass up to the east frontage. The Panel think that the height and massing could still be flexible and that there were sculptural benefits to a front set back. There are the possibility of options for a taller, slimmer building behind a set-back, or on a podium, but are presently assured that the proposal as shown provides an efficient floor-plan.

The Panel agree with the stepped 4 storey western elevation and its relationship with Bracklyn Court and suggest that the roof could provide additional amenity space for the apartments.

The Panel endorse the position of the block on the site and see benefit in setting the building back from New North Road to give views of Wimborne House, to create a good relationship with Parr Court and to provide some distance from the traffic.

The height and massing of Wimborne B was briefly discussed and the panel suggest it would need to relate well to Wimborne A.

Architecture

The Panel welcome the deliberate relationship with both Wimborne House and Parr Court that can be seen in the materiality and arrangement of horizontal and vertical details.

The Panel question why the architect's strong logic behind solid brick balconies of the Buckland Street scheme is reversed in the transparent and projecting balconies of this scheme. The Panel note that 'balcony blight' would be likely with the balconies as shown, but acknowledge that on the east elevation more transparency would maximise views over the park.

The south eastern corner of the building is shown set-back behind a colonnade. The Panel recommend more work is required to make any colonnade work and note that the cycle store beneath it would create an area of inactive frontage. The Panel identify problems created by the setting back of the first floor with the south facing flats behind the colonnade and consider that the proposed entrance beneath the colonnade on Wimborne Street needed improvement.

The Panel note that natural light to communal lift cores and corridors could be increased and that bathrooms could be given windows where not shown at present.

Public realm and landscape

The Panel agree that present Parr Court is dysfunctional and that its south entrance creates 'a conundrum' around the purpose of the space and that the problem of confused fronts and backs and over-permeability was yet to be solved. The Panel recommend further work be carried out on the space between the proposal and Parr Court to clarify the purpose of the space and the level/thresholds of access to it. The Panel agree that bike stores could provide additional security for otherwise exposed ground floor back gardens, but ask for improvements to the layout and character of the space.

The Panel see merit in creating a shared surface space to extend public realm and limit traffic, but note the challenges created from accommodating a vehicle turning space within the public realm. The Panel consider the combination of turning space, bike stores, refuse store and sub-station needs more design development.

The Panel advise that the area to the east of the commercial unit needed further work to avoid it becoming a wasted space. If the space is to become a desirable location outside a café (a use that the panel supports), it needs to offer something additional or unique that is not already available in the park. The Panel suggest that the space, in conjunction with the space to the east of Parr Court, could work together to create some unity between the existing and proposed buildings.

Conclusion

The Panel are encouraged to see a commitment to delivering much needed new homes and in the commitment to high quality architecture and improved landscaping for the wider site.

The Panel see that there is further potential to adjust the bulk and massing to create a stronger sculptural form which would relate even better to the immediate context. The Panel recommend further work is carried out to make the ground level (including the ground and first floors) successful and support the benefits of a colonnade, but that more work is needed to make it a safe, secure and comfortable space.

The Panel advise that improvements are made to landscape designs, particularly to the space between the new building and Parr Court and around the new storage structures, and that further clarification could be made between public and resident-only space.

- 4.13 Hackney Swifts Group: Welcome the planting of 40 new trees. Request appropriate measures to ensure a net gain for biodiversity.
- 4.14 Crossrail 2 Safeguarding: No response received.
- 4.15 EDF Energy: No response received.
- 4.16 Environment Agency: No response received
- 4.17 Hackney Society: No response received.
- 4.18 London Fire and Emergency: No response received.
- 4.19 Network Rail: No response received.
- 4.20 Parks & Green Spaces: No response received.
- 4.21 Thames Water: No response received.
- 4.22 Cranston South TMO: No response received.
- 4.23 Shepherds Market TRA: No response received.
- 4.24 St John's Estate TMO: No response received.
- 4.25 Wenlock Barn TMO: No response received.

Council Departments

- 4.26 Transportation: No objection subject to conditions.

The scheme is considered acceptable subject to conditions and agreement of details for highways works.

- 4.27 Waste: No objection subject to conditions.

The Waste and recycling strategy is well thought out. The issue regarding travel distance from flats to the refuse stores has been overcome.

- 4.28 Environmental Protection Team (Noise): No objection subject to conditions.

Internal noise criteria in line with BS8233:2014 should be achieved, details of noise levels of plant submitted and sound insulation should be installed between residential and commercial properties.

- 4.29 Pollution Air: No objection.

The Air Quality Assessment was revised to address comments and is acceptable. Concerns regarding RMSE for NO_x were accepted as a more conservative assessment and have been sufficiently satisfied. As such, no conditions are required.

- 4.30 Pollution Land: No objection subject to conditions.

Due to the scale and residential nature of the development the site application is recommended to have the full planning condition CLS1 attached.

- 4.31 Sustainable Urban Drainage (SUDS): The sustainable drainage proposal which includes the use of green roof and permeable paving at the site is welcome.

A condition is recommended to require the submission of details of a sustainable drainage system to ensure that the discharge rate is not exceeded in any circumstances.

As part of the site is at risk of surface water flooding, flood mitigation measures will be secured by condition, in addition to a detailed drainage management and maintenance plan.

- 4.32 Sustainability: No objection subject to conditions.

- 4.33 CCTV and Emergency Planning: No comments received.

- 4.34 Crime Prevention Design: No comments received.

- 4.35 Area Regeneration: No comments received.

5.0 POLICIES**5.1 Hackney Local Plan 2033 (LP33)**

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP4 Non Designated Heritage Assets
- LP5 Strategic and Local Views
- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure
- LP12 Housing Supply
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP31 Local Jobs, Skills And Training
- LP36 Shops Outside Of Designated Centres
- LP37 Small and Independent Shops
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP49 Green Chains and Green Corridors
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks
- LP57 Waste
- LP58 Improving the Environment

5.2 London Plan 2016

- 2.9 Inner London
- 2.14 Areas for Regeneration
- 3.1 Ensuring Equal Life Chances for All
- 3.2 Improving Health And Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of Affordable Housing
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

- 3.13 Affordable Housing Thresholds
- 3.15 Coordination of Housing Development and Investment
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.8 Innovative Energy Technologies
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality And Wastewater Infrastructure
- 5.15 Water Use And Supplies
- 5.17 Waste Capacity
- 5.18 Construction, Excavation And Demolition Waste
- 5.21 Contaminated Land
- 6.1 Strategic Approach
- 6.2 Providing Public Transport Capacity and Safeguarding Land for Transport
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.4 Enhancing London's Transport Connectivity
- 6.5 Funding Crossrail and other Strategically Important Transport Infrastructure
- 6.7 Better Streets And Surface Transport
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.7 Location and Design of Tall and Large Buildings
- 7.8 Heritage Assets and Archaeology
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

5.3 London Plan (Intend to Publish) 2019

- GG1 Building Strong and Inclusive Communities
- GG2 Making the Best Use of Land
- GG3 Creating a Healthy City
- GG4 Delivering the Homes Londoners Need
- GG6 Increasing Efficiency and Resilience
- SD10 Strategic and Local Regeneration
- D1 London's Form, Character and Capacity for Growth

- D2 Infrastructure Requirements for Sustainable Densities
- D3 Optimising Site Capacity through the Design-led Approach
- D4 Delivering Good Design
- D5 Inclusive Design
- D6 Housing Quality and Standards
- D7 Accessible Housing
- D8 Public Realm
- D11 Safety Security and Resilience to Emergency
- D12 Fire Safety
- D14 Noise
- H1 Increasing Housing Supply
- H4 Delivering Affordable Housing
- H5 Threshold Approach to Applications
- H6 Affordable Housing Tenure
- H7 Monitoring of Affordable Housing
- H8 Loss of Existing Housing and Estate Regeneration
- H10 Housing Size Mix
- S4 Play and Informal Recreation
- E9 Retail, Markets and Hot Food Takeaways
- E11 Skills and Opportunities for All
- HC3 Strategic and Local Views
- G1 Green Infrastructure
- G4 Open Space
- G5 Urban Greening
- G6 Biodiversity and Access to Nature
- G7 Trees and Woodland
- S11 Improving Air Quality
- S12 Minimising Greenhouse Gas Emissions
- S13 Energy Infrastructure
- S14 Managing Heat Risk
- S15 Water Infrastructure
- S16 Digital Connectivity Infrastructure
- S17 Reducing Waste and Supporting the Circular Economy
- S18 Waste Capacity and Net Waste Self-Sufficiency
- S113 Sustainable Drainage
- T1 Strategic Approach to Transport
- T2 Healthy Streets
- T3 Transport Capacity, Connectivity and Safeguarding
- T4 Assessing and Mitigating Transport Impacts
- T5 Cycling
- T6 Car Parking
- T6.1 Residential Car Parking
- T7 Deliveries, Servicing and Construction
- T9 Funding Transport Infrastructure through Planning
- DF1 Delivery of the Plan and Planning Obligations

5.4 SPD / SPF / Other

Mayor of London

Climate Change Adaptation Strategy (2011)

Climate Change Mitigation and Energy Strategy (2014)

Housing SPG (2016)
Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)
Sustainable Design and Construction SPG (2014)
Water Strategy (2011)
DCLG Technical Housing Standards (2015)

London Borough of Hackney

Design and Construction SPD (2016)
Planning Contributions SPD (2020)
Public Realm SPD (2012)
Transport Strategy 2015-2025

5.5 National Planning Policies/Guidance

National Planning Policy Framework
Planning Practice Guidance

5.6 Legislation

Town and Country Planning Act 1990
Community Infrastructure Levy Regulations 2010
Planning and Compulsory Purchase Act 2004

5.7 Emerging Policy

The GLA is producing a new London Plan, which was subject to Examination in Public between January 2019 and May 2019. The Inspectors' Panel report was published on 08 October 2019. This contained a series of recommendations on amendments to the Plan, some of which the Mayor chose to accept and some which he chose to reject. The reasons for his rejections accompany the London Plan "Intend to Publish" version was sent to the Secretary of State (SoS) on 09 December 2019. Subsequently, on 13 March 2020 the SoS raised significant concerns with Intend to Publish London Plan. The Mayor of London responded to the SoS on 24 April 2020 to commence discussions regarding the SoS's directions. The adoption of the new Plan is not imminent.

The NPPF sets out that decision takers may also give weight to relevant policies in emerging plans according to their stage in preparation, the extent of unresolved objections and degree of consistency with the NPPF. The Intend to Publish London Plan is a material planning consideration but carries limited weight in decision making at this stage.

Where relevant, emerging content within this document is discussed in the body of this report.

6.0 COMMENT

6.1 Background

- 6.1.1 The proposal seeks to redevelop two rectangular garage sites on the north and south sides of Wimbourne Street. The proposal seeks to demolish the existing 27 garages and construct one six (6) and one eight (8) storey residential building, a ground floor commercial space, a new games area, new and replacement car and cycle parking and associated landscape and public realm works.
- 6.1.2 The proposal provides 59 new units within two linear blocks. The north block consists of 41 units across 4-8 storeys and the south block consists of 18 units across 4-6 storeys. The cafe/commercial space is proposed at the ground floor of the north block.
- 6.1.3 Associated bike and bin stores are located at the ground floor of each building, with newly proposed bin stores for Parr Court and Cropley Court included as part of a redesigned comprehensive refuse strategy for the site and surrounding buildings.
- 6.1.4 In terms of tenure split, the proposal has been designed to be tenure blind and will deliver a mix of social rent, shared ownership (intermediate) and units for market sale. The ground floor of Wimbourne North will provide social rent units, with floors 1 and 2 providing shared ownership units and floors 3 to 8 providing market housing. Wimbourne South will be entirely social rent units.
- 6.1.5 The development provides 6 wheelchair adaptable M4(3) units across the ground floor of Wimbourne North and Wimbourne South, while the remaining meet M4(2) standards. Each of these units will have their own separate access, with those in Wimbourne North accessed directly from the street and those in Wimbourne South accessed from new paved surfaces to the rear. The access to upper floors for Wimbourne North will be via an entrance lobby fronting Wimbourne Street. The access to the upper floors for Wimborne South will be via an entrance lobby located to the west side of the building.
- 6.1.6 The proposal seeks to undertake works to the existing estate grounds, including the creation of a new playground, relocation of existing car parking, and new pavement and general landscaping works to improve general open space and amenity areas across the site.
- 6.1.7 Public realm works are proposed within the redline boundary of the site; including the reallocation of existing on-street CPZ parking spaces, the creation of blue badge parking spaces, provision of EV charging points, relocation of the existing bus stop on the north side of Wimbourne Street and the creation of new pedestrian routes between Wimbourne House and Cropley Court.
- 6.1.8 The development is proposed to be car-free, with the exception of blue badge holders and includes the creation of 128 long stay cycle parking spaces and 24 short stay spaces within the site. 4 motorcycle locking loops are proposed. 16 estate CPZ spaces are proposed to be re-provided for existing adjoining residents.

Housing Supply Programme

- 6.1.9 The development is part of Hackney Council's Housing Supply Programme (HSP), which was approved by Cabinet in February 2016. The HSP seeks to deliver new, mixed tenure homes on Council owned sites within the borough's existing housing estates, typically on previously developed land occupied by non-residential uses, such as garages, car parks and depots.
- 6.1.10 A key objective of the HSP is to assist in meeting existing and future housing demand within the borough. The programme will deliver at least 50% social rent and shared ownership affordable units, secured by a Unilateral Undertaking, on 16 sites within the borough.
- 6.1.11 The HSP is a non-profit making initiative that does not rely on limited Government funding, as the delivery of new affordable housing is subsidised by homes for outright sale.

Development delivery and securement through Unilateral Undertaking

- 6.1.12 In the context of the above, the Housing Supply Team has agreed to a programme wide and overarching Unilateral Undertaking (UU) which sets out the overall target housing mix and tenure for sites within the programme (see appendix). The UU will ensure development delivered through the programme will meet the mix and tenure split set out in the deed.
- 6.1.13 The main considerations relevant to this application are:
- Land Use
 - Design
 - Conservation
 - Quality of Accommodation
 - Amenity Impacts upon nearby occupiers
 - Transportation
 - Landscape & Trees
 - Waste
 - Energy & Sustainability
 - Flood Risk
 - Biodiversity and Ecology
 - Archaeology

Each of these considerations is discussed in turn below.

6.2 Land Use

Residential Use

- 6.2.1 Policy LP12 of LP33 sets a housing supply target for Hackney of 1,330 dwellings per year through encouraging development on small sites and through allocating sites for residential use and increasing the supply of genuinely affordable homes. Policy LP13 seeks to ensure that new development will maximise opportunities to supply genuinely affordable housing on-site, subject to viability and context, in order to contribute to the overall housing supply across the Borough. Moreover,

Policy LP14 of Hackney's LP33 confirms the need to deliver different housing types at varying levels of size and affordability to meet people's individual needs, as part of delivering this target.

- 6.2.2 The application site forms an integral part of Hackney's adopted Housing Supply Programme, which is currently seeking to deliver 405 units, of which at least 50% will be affordable. The proposal will see the delivery of 33 affordable dwellings (a mix of social rent and intermediate) on a brownfield site, and would contribute to the housing delivery targets set by planning policy and help the Council achieve its objectives towards building well-designed mixed and balanced neighbourhoods.
- 6.2.3 The provision of residential accommodation at the site is deemed acceptable in principle and accords with London Plan policy 3.3 and LP12 of LP33.

Housing Mix

- 6.2.4 London Plan policies 3.8, 3.9 and 3.11 and the Mayor's Housing SPG promote housing choice and seek a balanced mix of unit sizes and tenures in new residential developments with priority given to affordable family housing (those of 3 bedrooms or more). However, the policy notes that variations to this size mix may be considered dependent on site, area, location and characteristics and scheme viability.
- 6.2.5 The development's proposed housing and tenure mix is shown in the table below:

	1 bed	2 bed	3 bed	4+ bed	Total
Social Rent	12	8	2	0	22 (37%)
Intermediate	4	4	3	0	11 (19%)
Total	16	12	5		33 (56%)
Market	10	15	1	0	26 (44%)
Total	26	27	6	0	59 (100%)

- 6.2.6 As previously discussed, the Unilateral Undertaking, which underpins the Housing Supply Programme, has assigned an overall tenure and housing mix delivery target to be achieved by the sites within the programme. Whilst this specific development will deliver a relatively low proportion of family sized units of all tenure, the Housing Supply Programme will aim to deliver a policy compliant mix and tenure split (see appendix).
- 6.2.7 Whilst it is acknowledged that the proposed development does not strictly align with the desired housing mix as detailed under LP14, weight is given to the fact that the proposed development, as part of the Council's Housing Supply Programme, will deliver a high proportion of large family sized social rent units, in line with local need and therefore contribute towards mixed and balanced communities, as advocated by London Plan policies 3.8, 3.9, 3.11.

Affordable Housing

- 6.2.8 Hackney LP33 policy LP13 sets a target of 50% of new residential development to be affordable within developments of 10 or more units, with a tenure split of 60% affordable/social rent and 40% intermediate, subject to site characteristics, location

and scheme viability. London Plan policy 3.9 also encourages the delivery of more mixed and balanced communities.

- 6.2.9 The proposed development will deliver 56% affordable housing, which will comprise a tenure split of 67% social rent and 33% intermediate units. The development therefore meets the 50% affordable housing target.
- 6.2.10 As stated within the Housing Supply Programme section of the report (paragraphs 6.1.9 to 6.1.11), all the sites (within the Programme) are intrinsically linked through a cross-subsidy strategy which demonstrates (as a whole) the Programme is capable of delivering at least the policy target of 50% affordable housing. The appendix to this report shows the Housing Supply Programme table, which provides the current housing mix and tenure breakdown. The table shows a current projected minimum delivery of 50% affordable housing, with a tenure breakdown of 50% social rent and 50% intermediate.
- 6.2.11 The proposed development will assist in delivering a minimum projected 50% affordable housing within the Council's Housing Supply Programme, the proposed provision of affordable housing is deemed in accordance with Hackney LP33 policy LP13 and London Plan policy 3.9 and 3.11.

Cafe Unit

- 6.2.12 The proposal includes the creation of a commercial unit within the ground floor of Wimbourne North of which is intended to be used as a cafe (use Class A1). The unit would operate on a mostly take away basis with a limited number of eat-in seating and with no primary cooking facilities proposed. LP33 seeks to encourage the creation of A1 uses within appropriate locations, subject to the impact such uses could have on the surrounding environment.
- 6.2.13 LP37 outlines that the provision of small A1 shop units suitable for small and independent retailers will be supported. It further goes on to indicate that major developments must incorporate small shop units where there is no accessible provision of alternative shopping facilities within 400m walking distance, taking into account shops within neighbouring boroughs. It is noted that the closest A1 use is within 200m of the site, however there is an under provision of A1 uses within the surrounding area. Subject to a condition restricting the use of primary cooking facilities and hours of operation, the proposed use is considered acceptable.
- 6.2.14 It is noted however, that on 1 September 2020, changes to the use class order will come into effect; with the class proposed for this A1 unit being grouped within the new use Class E. The new Class E will encompass a wide range of commercial, business and service uses including retail, restaurant, office, financial/professional services, indoor sports, medical and nursery uses along with "*any other services which it is appropriate to provide in a commercial, business or service locality*". As such, the use of the unit would be able to change between the uses interchangeably.
- 6.2.15 Given the wide scope of the new uses within the broadened use Class E, a condition will be attached to restrict the proposed commercial element of the scheme to a retail use to ensure a suitable end use that will safeguard residential amenity.

6.2.16 In light of the above, subject to conditions, the principle of an A1 unit is considered to accord with the revised use class order in addition to policy LP37 of LP33.

6.3 Design

6.3.1 London Plan policy 7.4 requires development to be of high quality design that responds to the pattern and grain of the existing environment and makes a positive contribution to a coherent public realm, streetscape and wider cityscape. London Plan Policy 7.6 requires buildings to be of the highest architectural quality, comprised of the highest quality materials and design appropriate to its context.

Form and Massing

6.3.2 Wimbourne North is an eight storey block with a narrow elevation facing Shoreditch Park, and long elevation facing Wimbourne Street and Parr House. The west narrow elevation is recessed above the fourth floor to reduce the impact on daylight to existing homes to the west. The Shoreditch Park elevation has additional articulation due to its prominent aspect. Here, the main elevation is recessed behind balconies and columns.

6.3.3 Wimbourne South is a six storey block with long elevations to Wimbourne Street and existing homes to the south, and a short elevation to Wimborne House and existing homes to the west. A two storey setback creates space between the block and Wimborne House as well as allowing additional daylight to neighbouring windows to the south.

6.3.4 The massing has been refined over the course of pre-application discussions. While the DRP suggested that additional height to Shoreditch Park could be explored, the heights and massings proposed are considered appropriate. Testing shows good light levels are maintained to neighbours with the proposed massing and from a townscape point of view the heights create a comfortable street enclosure and relationship with neighbouring residential buildings and open spaces.

6.3.5 Given the existing surrounding massing context which varies in height from four to eleven storeys, the proposed six and eight storey buildings are considered to sit comfortably within the scale of the area and would respond positively to the surrounding buildings.

Layout Arrangement

6.3.6 The proposal is for two blocks on adjacent garage sites associated with the Wenlock Barn Estate. The two sites are proposed to align with Wimbourne Street. The northern site faces directly onto Shoreditch Park across New North Road.

6.3.7 The northern block is set back from the pavement edge behind a strip of private amenity spaces associated with ground floor flats. The southern block follows the back-of-pavement building line set by Wimborne House. A shallow planted strip extends into the existing pavement.

- 6.3.8 The northern block addresses the street with four dual aspect, wheelchair adaptable units and their front gardens (4 x 1B2P), a communal lobby giving access to upper floor flats, and a commercial unit facing New North Road. To its rear, the block faces the more private courtyard interior shared with Parr Cort, with rear private space for the ground floor units, a rear communal access, communal servicing and the side of the commercial unit.
- 6.3.9 The upper floors are accessed by dual lifts and stairs to internal corridors, naturally lit and ventilated by windows onto the stair core. Cores have a maximum of 6 units per corridor. All units are either dual aspect or smaller, south facing units which should allow for ample cross-ventilation and light to all habitable rooms. The exception is bathrooms which do not have windows. All units have balconies facing either south, west or east.
- 6.3.10 At first floor level the internal layout comprises 2 x 1B2P, 1 x 2B4P and 3 x 3B5P units. At second to third floor levels the internal layout will remain the same comprising 2 x 1B2P, 3 x 2B4P and 1 x 3B5P units. Floors four to seven also retain the same floorplate comprising 2 x 1B2P and 3 x 2B4P units, with the only exception being the balconies provided on the western elevation at fourth floor level.
- 6.3.11 The southern block addresses Wimbourne Street with a communal entrance lobby and bin store on the western side of the building with communal bike storage facing north to Wimbourne Street. The front entrances of the two ground floor wheelchair adaptable units facing south and addressing a secondary route faced by the entrances of the existing estate building to the south.
- 6.3.12 Each upper floor has a maximum of 3 units which are all dual aspect or technically dual aspect. The south facing units with an east facing balcony access door are shallow which will allow for adequate light penetration and ventilation. A duplex 3B5P unit on the fourth and fifth floor has access to a very large rooftop terrace.
- 6.3.13 At first floor level the internal layout comprises 2 x 2B4P and 1 x 3B5P units. At second to third floor levels the internal layout will remain the same comprising 2 x 1B2P and 2 x 2B4P units. Floors four to five also retain the same floorplate comprising 1 x 1B2P, 1 x 2B4P and 1 x 3B5P duplex units.
- 6.3.14 The layout creates a strong, traditional urban street edge with active frontage, where currently garages line the street giving an inactive edge.

Orientation

- 6.3.15 The units are orientated east to west with outlooks in all directions. The majority of units are dual aspect with those not facing south.
- 6.3.16 Wimborne North has been oriented to reduce direct overlooking to Parr Court and balconies have been designed to face over communal open space or Shoreditch Park. This will create a positive level of natural surveillance over these spaces, particularly in comparison to the existing garage environment.
- 6.3.17 Where possible, balconies on for Wimbourne South have been oriented on the west and east of the building to reduce the opportunities for overlooking to the

nearby Cropley Court and to provide opportunities for surveillance over Wimbourne Street.

- 6.3.18 The entrances to the buildings are considered to contribute to the activation of the frontage along Wimbourne Street.
- 6.3.19 Overall the site layout is acceptable, as it relates well to the surrounding context. It provides some well-overlooked new public spaces while minimising negative impacts on neighbours.

Roofs

- 6.3.20 The proposed buildings will have flat roofs, to optimise the developments potential to provide green roofing and renewable energy sources. The surrounding buildings also benefit from flat roofs and therefore this would appear characteristic for the setting.

Windows and Doors

- 6.3.21 The window types and openings have been developed to allow for a balance between maximising daylight/sunlight and minimising overheating. External Brise soleils have been added to inward opening windows. Windows will be of aluminium and will be triple glazed for added insulation and sustainability benefits. Doors will be Aluminum/Timber Composite.

Materiality

- 6.3.22 Materials have been meticulously planned to guarantee quality in delivery. The two blocks are proposed to be of a very similar appearance with facade design and materiality being replicated across the two buildings. The two buildings will be faced in red and pink clay bricks with white and pink precast details including bands and soffits, and white brick facades to identify entrances. Expanded aluminium mesh moveable brise soleil and louvres will add elevational interest as well as allowing for solar shading.
- 6.3.23 The two buildings have a double storey emphasis with floors being grouped in pairs. As such, white precast horizontal bands which run the entire length of the facade appear every two storeys, and setbacks are also created by two floors at a time. Every other floor has pink precast bands which terminate at the vertical brick piers which run the height of the building. The top of both buildings are capped with a white precast band and a brick parapet above. Acoustic enclosures which are as yet undetailed, will occupy the highest point on each building.
- 6.3.24 The proposed external materials are considered to be aligned with neighbouring buildings, with the use of red/pink bricks complementing the existing urban fabric. The use of white horizontal banding is an echo of the concrete banding seen throughout nearby buildings. As a result, the materials assist in the integration of the proposed buildings with the surrounding post-war residential blocks.

Private and shared amenity space

- 6.3.25 All units will have access to private balconies which are accessed directly from the primary living spaces of the respective units. The ground floor units of Wimbourne North will have private north facing rear gardens whilst ground floor units of Wimbourne South will have private south facing front gardens. The private amenity space of these ground floor units, directly adjoining the communal open space will be screened by planting at the boundaries to provide privacy to residents and buffer from the vehicles using the shared surface.
- 6.3.26 The development also includes the refurbishment of the existing playground and general open space landscaping of which the future occupants will be able to access, in addition to existing and future residents of the surrounding buildings within Wenlock Barn Estate.

Landscape

- 6.3.27 The landscape proposal seeks to maximise planting opportunities across the site whilst increasing the amenity potential to both public and private spaces. Large trees are proposed along New North Road, east of Parr Court, to complement the lush existing street planting and fill the gap in the linear street greenery. Significant defensible planting is proposed around Parr Court to provide a buffer zone between the public landscape and residential units on the ground floor
- 6.3.28 Sloped planting beds, which will form a green background to the sunken courtyard of Cropley Court, are proposed for Wimbourne South, and will give opportunity for a lush and diverse planting palette. Cropley Court will have generous zones of buffer planting to protect privacy of existing ground floor residents whilst new planting is proposed to be introduced in front of Wimbourne Court to improve the quality of the public realm and the outlook from the existing residential dwellings. Larger trees will be planted to the west of Wimbourne South, near Wimbourne Court.
- 6.3.29 The existing play area is being replaced with a new play garden with both new natural play, traditional play features and exciting landforms incorporating a slide. New gated entrances allow flexible routes and improve permeability.
- 6.3.30 A proposed cafe on the ground floor of Wimbourne North will have an outdoor terraced seating area with attractive all season interest planting.
- 6.3.31 Overall the landscaping promises to be lush and verdant, with attractively textured paved surfaces, providing an attractive green communal landscape. Further, the landscaping scheme seeks to introduce a pedestrian friendly public realm by improving circulation through the area and making the whole estate more legible.
- 6.3.32 A variety of paving materials have been incorporated into the proposed landscaping across the site, creating variation to distinguish between spaces and routes. The paving materials proposed are high quality.

Health Impact

- 6.3.33 Policy LP9 of LP33 requires new development to contribute to a high quality environment that enables all Hackney residents to lead healthier and active lifestyles and reduce health inequalities. A Health Impact Assessment (HIA) was submitted in accordance with the requirements of the policy.
- 6.3.34 The HIA suggests that no significant health impacts will arise as a result of the development. Furthermore, the assessment demonstrates that the proposal will likely have a neutral-positive impact across the categories set out within the assessment, including housing quality and design, affordable housing provision, access to employment, response to climate change and renewable energy provision.
- 6.3.35 The development has been carefully designed to ensure the health and wellbeing of future occupiers through the provision of well designed open space and landscaping and improvements to the public realm including pedestrian and cycling links to support walking and cycling. Exercise equipment provided within the new playground is proposed to encourage outdoor activities and promote health and fitness.
- 6.3.36 The design complies with Secure by Design principles to ensure that safe spaces are created as a result of the development and contribute to a positive sense of space.
- 6.3.37 Cycle parking over the required minimum is proposed to be provided and a car free development will be sought in order to promote sustainable modes of transport and in doing so contribute to the physical activity levels of future occupants.

Fire Safety

- 6.3.38 Policy D12 of the Intend to Publish London Plan requires all major developments to submit a Fire Statement. In response to comments of officers, a Fire Statement prepared by Pell Frischmann was submitted. The Fire Statement outlines that the fire engineering provision has been accounted for and conforms with the relevant British Standard Codes of Practice and Building Regulations for Fire Safety. Further, the fire and life safety precautions proposed to be included within the development are generally in accordance with the requirements of the D12 London Planning Policy and the Building Regulations, Part B (Fire Safety).

External Lighting

- 6.3.39 An external lighting plan has been submitted with the application to ensure paths, entrances and communal spaces across the development are well lit. Details of light coverage and spill are required by condition, to ensure a reduction in light pollution into the new units in addition to existing neighbouring units is minimised to an acceptable level.
- 6.3.40 Whilst details of the hours of lighting to be used across the site have not been provided, this information could be submitted as an approval of details; the condition will also require details surrounding any use of sensor lighting outside of automatic lighting hours.

Substation

- 6.3.41 The substation is located adjacent to the proposed CPZ estate parking and motorcycle parking and does not extend forward of the southern building line of Parr Court. The relocation is considered to result in a layout that improves circulation of the site and results in less disruption to the openness of the site.

Street Furniture and Fencing

- 6.3.42 The street furniture proposed within both the public and communal environments has been located to ensure maximum unobstructed access through and around the site.
- 6.3.43 Details of the materials for the proposed street furniture have been included with the application documents; these appear to be of high quality that will be robust and durable.
- 6.3.44 The fencing across the site is shown to be low in height and visually permeable so as to enable natural surveillance.
- 6.3.45 The fencing adjoining the private gardens of the ground floor units will be screened by proposed vegetation, thereby ensuring privacy for these spaces whilst being consistent in design and materials with fencing throughout the site.

Signage

- 6.3.46 The proposed signage details have been designed to be sympathetic to the design of the proposed buildings, whilst providing the necessary wayfinding for visitors and occupiers of units within the proposed development.

Summary

- 6.3.47 The proposed development would provide a new residential development in the Wenlock Barn Estate. The development delivers a high quality design with attention to detail and an approach to materials that is well considered. The development offers wide benefits in regard to public realm upgrades, improvements to landscaping and benefits to public health.
- 6.3.48 The proposal complies with pertinent policies in the Hackney Local Plan 2033 (2020) and the London Plan (2016), and the granting of full planning permission is recommended subject to conditions and the completion of a unilateral undertaking.

6.4 Conservation

- 6.4.1 Wimbourne House, located on the corner of New North Road and Wimbourne Street and which abuts Wimbourne South, has long been isolated in the streetscape, surrounded by new buildings which are unrelated to it. Wimborne South reintegrates Wimborne House into an urban context much more closely related to Wimborne House's original context. Together Wimbourne North and South will reestablish a section of traditional enclosed urban street with clearly defined street edges and a shared alignment and building line with Wimborne House.

- 6.4.2 Wimbourne South steps down to below the parapet height of Wimbourne House where it abuts and steps up above its height to the west. This relationship is positive and avoids the often-seen and unsuccessful approach of stepping up in stages and scale away from a heritage asset. The proposal will replace vacant garages with no design quality and result in a high quality building adjoining the non-designated heritage asset that matches the building in terms of scale. As such, the proposal is considered to respect the host building and will ensure that its character and appearance is enhanced.
- 6.4.3 The closest locally listed buildings are located at 51-71 Cropley Street, approximately 170m from the site. Given the separation of these buildings from the site, and the scale of buildings in between it is considered that the proposal would ensure the character and appearance of this group of buildings is preserved and there would be no harm to these locally listed buildings.
- 6.4.4 Overall the proposals are positive in conservation terms.

6.5 Quality of Accommodation

Residential Floorspace

- 6.5.1 New residential developments are expected to provide a good standard of amenity for future occupiers and new units are expected to comply with the minimum floorspace standards of London Plan policy 3.5 and the requirements of the Nationally Prescribed Space Standards.
- 6.5.2 In terms of overall unit size, all prospective units go beyond the minimum standards for the respective unit sizes; 1B2P (50m²), 2B4P (70sqm) and 3B5P (86sqm). The internal rooms are also in accordance with specification for living, dining, kitchen areas and bedrooms. The units will have floor to ceiling heights of at least 2.5m.
- 6.5.3 The proposed level of floorspace will therefore provide acceptable living conditions for future residents, in accordance with policy 3.5 of the London Plan, LP1 and LP17 of LP33 and the Nationally Prescribed Space Standards.

Sunlight/Daylight

- 6.5.4 London Plan policy 3.5 requires residential units to provide a good standard of internal amenity with appropriate levels of light, ventilation and outlook. In terms of residential layout, all habitable rooms are served by at least one window and all units are either dual aspect or single aspect facing south and have been designed to maximise access to natural light.
- 6.5.5 The applicant has submitted a Daylight and Sunlight (Waldrams, March 2020) assessment including an assessment of the Average Daylight Factor (ADF) which assesses the levels of daylight within the proposed residential development. BRE guidance states that where a room serves multiple purposes; i.e. a living, kitchen and dining room, the minimum ADF should be the highest standard (2%); despite this, the assessment provided has applied the minimum standard for a living room (1.5%) to these spaces across the development, to reflect the primary purpose of the space. This is an acceptable approach.

- 6.5.6 Based on the above, the results show that 91% of habitable rooms (145 out of 159) either meet or exceed the ADF BRE guidance for kitchens (2%), living rooms (1.5%) and bedrooms (1%). All shortfalls are minor. Overall, the ADF pass rate represents an acceptable level of daylight achieved across the scheme, especially given the inner London context and size of the scheme
- 6.5.7 On balance, the proposed units have been designed in accordance with BRE guidance, with positive levels of natural light and sunlight hours available to future occupants and provide a high standard of accommodation within a dense, urban location.

Outlook

- 6.5.8 In terms of outlook, with the exception of ground floor units B0.1 and B0.2 (Wimbourne South) and units A1.3, A2.3, A2.4, A3.3, A3.4, A4.3, A5.3, A6.3 and A7.3 (Wimbourne North), the proposed units will all be multi-aspect. The single aspect units will be south facing with a large amount of glazing which is considered to offset the single aspect nature of these units.
- 6.5.9 Each habitable room within the development would be served by a minimum of 1 window.
- 6.5.10 Overall, the proposed level of outlook is considered acceptable.

Overshadowing

- 6.5.11 BRE guidance also considers the overshadowing impacts of a development on surrounding gardens, parks, public squares and playgrounds. In order to prevent these spaces becoming damp, cold and uninviting, BRE guidance specifies that at least 50% of the space should receive more than 2 hours of sunlight on 21 March equinox, with the proposed impact being no more than 0.8 times its former value.
- 6.5.12 The Daylight and Sunlight Report demonstrates that the 97% of the amenity space, located to the north of the proposed buildings, will receive at least 2 hours of sunlight on the March equinox, a reduction of 1% of the existing, in accordance with BRE guidance.

Accessibility

- 6.5.13 London Plan policy 7.2 and policy LP1 of LP33 seek to achieve the highest standards of accessible and inclusive design. To ensure a fully accessible environment, Local Planning Authorities have an optional requirement to secure 90% of all new housing to be built to nationally described housing standard Building Regulations M4 (2). The remaining 10% of the residential units should be wheelchair user dwellings, being either Building Regulations M4 (3)(a) wheelchair adaptable and/or M4 (3)(b) wheelchair accessible.
- 6.5.14 The submitted drawings demonstrate 6 wheelchair adaptable M4(3)(b) units have been provided, with all other units meeting M4(2) standards. The proposed development therefore accords with the accessibility requirements of London Plan policy 7.2 and policy LP1 of LP33.

Private amenity space

- 6.5.15 Private amenity space is provided in the form of balconies. The GLA Housing SPG states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. All flats have private balconies and all houses have private outdoor amenity space, meeting these standards.

Playspace/External Amenity Areas

- 6.5.16 London Plan policy 3.6 and LP33 policy LP50 seek developments to provide play and informal recreational space. Policy LP50 and the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG recommends 10sqm of dedicated playspace per child for future provision.
- 6.5.17 Based on GLA calculations, the child yield for the development is approximately 21 children, thereby resulting in a requirement to provide 211.7sqm of designated play space to meet both policy LP50 and the GLA requirements. The Mayor's SPG also sets out that under 5s should have access to play space within 100m and under 10s within 400m.
- 6.5.18 The development proposes to provide a total of 694sqm of play space, which could be classified as doorstep play space for Wimbourne North.
- 6.5.19 There is no doorstep play provided on Wimbourne South. However, the proximity of the new upgraded and replaced play area immediately north of Wimbourne Street, to the west of Parr Court, can be shared with the Wimbourne South residents.
- 6.5.20 The application site is also located 65m to the west of Shoreditch Park, albeit across New North Road. This local facility is deemed to provide sufficient local amenity provision for prospective children aged over 5, in addition to the provision included on site.
- 6.5.21 Policy LP48 states that where feasible, all development for 10 or more residential units must maximise the provision of open space and provide 14sqm of communal open space per person (using the residential yield); thereby resulting in the requirement for 1,652sqm of communal open space. Notwithstanding the site being located adjacent to Shoreditch Park, the proposal is considered to be provided with adequate levels of open space.

Conclusion

- 6.5.22 The proposed development is deemed to provide a high standard of residential accommodation for prospective future residents and is subsequently deemed to meet the relevant requirements of London Plan policies, Hackney Local Plan 2033 policies, the Mayor's Housing SPG and the Mayor's Shaping Neighbourhoods: Play and Informal Recreation' SPG.

6.6 Impact to Amenity

- 6.6.1 London Plan policy 7.4 states development should have regard to the form, character and function of an area and the scale, mass and orientation of surrounding buildings. Policy LP2 of LP33 states that all new development must be appropriate to its location and should be designed to ensure that there are no significant adverse impacts on the amenity of neighbours.
- 6.6.2 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received from adjoining properties. The daylight sunlight assessment submitted with the application refers to the BRE guidance as a point of reference and this guidance has been used to assess the impacts of the proposals.
- 6.6.3 BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be required for dwellings in denser inner urban locations as a matter of course.
- 6.6.4 The submitted daylight sunlight assessment has stated that lower levels of VSC and daylight distribution should be considered acceptable given the context of the site being within a well developed, urban environment and in considering the encouragement of the NPPF, the London Plan and LP33 to optimise the use of land and provision of housing to meet the necessary housing targets.

Daylight

- 6.6.5 The submitted daylight sunlight assessment has carried out two methods which can be used to assess the impact of developments on the daylight received by affected dwellings. The first is the 'Vertical Sky Component' assessment (VSC), which measures the amount of daylight available at the centre point to the external pane of a window.
- 6.6.6 In assessing Vertical Sky Component, the BRE guide states *"If any part of a new building or extension, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25% to the horizontal, then the diffused daylighting of the existing building may be adversely affected. This will be the case if the Vertical Sky Component measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value"*.
- 6.6.7 In measuring prospective VSC, BRE guidance also makes reference to adjoining windows with balconies/roofs above receiving less sunlight as the balcony/roof cuts out light available from the sky. In such situations, it is advised that results should be provided for VSC levels both with and without the balconies/deck access, to ensure the development is not unfairly prejudiced.

Sunlight

- 6.6.8 The BRE guidance recognises that sunlight is less important than daylight in the amenity of a room and is heavily influenced by orientation. North facing windows may receive sunlight on only a handful of occasions in a year and windows facing eastwards or westwards will only receive sunlight for some of the day. In order for rooms to achieve good sunlight the BRE target criteria is that rooms should receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter. Where rooms receive less than the recommended APSH then the BRE guidance states a reduction of more than 20% would be noticeable.

Wimbourne Court

- 6.6.9 1-30 Wimborne Court is a six storey building comprising 30 dual aspect residential units located to the west of Wimbourne South and south-west of Wimbourne North. 18 out of 30 windows measured will satisfy BRE guidance. Of the 12 rooms that fail VSC, only 5 fall short of daylight distribution targets. These shortfalls result in generally no more than 30% reductions. No south facing windows are located within the building so do not need to be considered for sunlight. Given the urban nature of the site and relatively minor failings of the development the overall daylight/sunlight impacts are deemed acceptable.

Cropley Court

- 6.6.10 133-196 Cropley court is a five storey, plus lower ground floor, building comprising 63 dual aspect residential units located to the south of Wimbourne South. 13 out of the 48 windows will satisfy BRE guidance. However, it should be noted all the windows tested that face the Wimbourne South site are positioned underneath walkways and have low levels of VSC in the existing position; these walkways will exacerbate any levels of light loss. When the calculations are adjusted to measure VSC with the balconies notionally removed, 32 out of the 48 windows tested will satisfy BRE guidance.
- 6.6.11 Furthermore, as this property is located close to the site boundary with windows looking directly over the development site, and given the underdeveloped nature of the development site, reductions in daylight and sunlight beyond the target values set out in the BRE Guidelines are likely unavoidable if full site utilisation is to be sought. In this instance the overall daylight/sunlight impacts are deemed acceptable.

Parr Court

- 6.6.12 1-44 Parr Court is an eleven storey building comprising 44 dual aspect residential units located to the north of Wimbourne North. 10 out of 20 windows measured will satisfy BRE guidance. Of the 10 rooms that fall below VSC thresholds, only 1 falls short of daylight distribution targets. This shortfall results in no more than 24% reduction from the existing situation. Given the urban nature of the site and relatively minor failings of the development the overall daylight/sunlight impacts are deemed acceptable.
- 6.6.13 All windows will meet the BRE guidelines for APSH.

1-40 Bracklyn Court

- 6.6.14 1-40 Bracklyn Court is a five storey building comprising 40 dual aspect residential units located to the west of Wimbourne North. In daylight terms, 8 out of 20 windows measured will satisfy BRE guidance and 13 of 15 would meet target values for daylight distribution.
- 6.6.15 However, it should be noted all the windows tested that face the Wimbourne North site are positioned underneath walkways and have low levels of VSC in the existing position; these walkways will exacerbate any levels of light loss.
- 6.6.16 Despite the shortfalls, it is emphasized that all windows would retain VSC levels in late teens or above, which in accordance with a GLA appeal decision (D&P/3067/03), is 'reasonably good'.
- 6.6.17 All windows will meet the BRE guidelines for APSH.

41-80 Bracklyn Court

- 6.6.18 41-80 Bracklyn Court is a five storey building comprising 39 residential units located to the west of Wimbourne North, behind 1-40 Bracklyn Court. All windows tested meet BRE guidance for both VSC and APSH. The overall daylight/sunlight impacts are deemed acceptable.

Wimbourne House

- 6.6.19 Wimbourne House is a four storey commercial building located to the south-east of Wimbourne North. 30 windows from 54 tested satisfy VSC thresholds. All windows tested meet BRE guidance for both Daylight Distribution and APSH. The overall daylight/sunlight impacts are deemed acceptable.

Summary

- 6.6.20 The proposed development is deemed acceptable with regard to daylight and sunlight impacts on adjoining properties and is deemed to meet the requirements of policy 7.4 of the London Plan and policy LP2 of LP33.

Privacy and Overlooking

- 6.6.21 The Council has no specific policy guidance on acceptable separation distances for outlook. This is due to the differing established grain and density of the borough, the potential to limit the variety of urban space and unnecessarily restrict density.

Wimbourne North

- 6.6.22 In terms of surrounding context, the submitted plans show the closest windows to the north (Parr Court) are situated between 9.5m and 16.5m from facing windows on the development site. Such separation distances are generally considered to be acceptable within a central urban environment where a tighter grain of urban fabric is generally anticipated. The southern elevation of Parr Court contains few windows. Further, these windows are located at an oblique angle to avoid direct

sightlines with neighbouring windows and as such, the arrangement is not considered to give rise to adverse privacy or overlooking impacts.

- 6.6.23 To the west of the site (Bracklyn Court), the closest windows are situated between 14m and 23m from facing windows of the development site. These separation distances are considered to be more than adequate to mitigate any potential overlooking or loss of privacy experienced by these neighbouring buildings as a result of the development. It is further noted that the separation distances are similar to those existing between Bracklyn Court and Parr Court and that privacy values will be further maintained for occupiers given the existence of decked access balconies on the eastern side of Bracklyn Court.
- 6.6.24 To the south the closest windows will be at Wimbourne House, a commercial property located on the opposite side of Wimbourne Street. The separation distance of 13m is considered adequate between the proposed residential and existing commercial uses.

Wimbourne South

- 6.6.25 The closest windows to the west (Wimbourne Court) are situated 16.5m from facing windows on the development site. Such separation distances are generally considered to be acceptable within such a central urban environment where a tighter grain of urban fabric is generally anticipated. Separation distances are similar to those existing between Wimbourne Court and Croyley Court and privacy values will be further maintained for occupiers given the existence of decked access balconies on the eastern side of Wimbourne Court.
- 6.6.26 To the south the closest windows will be located approximately 15m from facing windows on the development site. Such separation distances are generally considered to be acceptable within such an urban, central environment where a tighter grain of urban fabric is generally anticipated.
- 6.6.27 For these reasons, the proposed development is considered to have an acceptable impact relating to privacy and overlooking of neighbouring residential buildings.

Noise

- 6.6.28 London Plan policy 7.15 seeks to manage the amount of noise arising to and from a development, in line with surrounding environs. The accommodation proposed as part of this development is deemed to reflect the existing surrounding context through providing largely C3 residential use.
- 6.6.29 The applicant has submitted an Acoustic Assessment (Cass Allen, April 2020). The Council's Pollution Noise team have reviewed the proposal and have raised no objection, subject to conditions relating to internal ambient noise within the proposed residential units, sound insulation between residential and commercial properties and an assessment of expected noise levels arising from noise associated with plant/equipment.
- 6.6.30 To safeguard against noise impacts during the construction phase, demolition and construction and site environmental management conditions are proposed. A

considerate contractor's clause is included within the unilateral undertaking to further protect adjoining residents.

- 6.6.31 Subject to the above conditions, the development is deemed to accord with London Plan policy 7.15.

6.7 Transportation

- 6.7.1 The site has frontage on Wimbourne Street and New North Road. The site has a PTAL rating of 5 (on a scale of 1 to 6b where 6b is the highest) indicating a high level of access to public transport.
- 6.7.2 Wimbourne Street is a one-way street (eastbound only) extending for approximately 170 metres between Cropley Street to the west and New North Road to the east. The street forms part of the 394 local bus route and long sections of kerb space is occupied by on-street parking bays. Footways are present along both sides of the carriageway. There are a number of crossovers that are used for vehicular access that reduce the continuity of the footway for pedestrians.
- 6.7.3 Hoxton London Overground Station is located approximately 0.8 miles from the site and Old Street Underground station is approximately 0.6 miles. Bus stops PL serving bus route 394 towards Hoxton is located within the development site on the north side of Wimbourne Street.
- 6.7.4 There are a number of services, including schools, and shopping facilities within walking distance of the site.
- 6.7.5 The site is located close to the TfL cycle route, Cycle Superhighway 1. Santander Bike Docking stations are located in relatively close proximity to the site in Shoreditch Park and on Pitfield Street.
- 6.7.6 The highways surrounding the site are within Hackney Controlled Parking Zone A with restrictions in place Monday to Friday 0830-1830. There are currently no car clubs in the immediate vicinity of the site. Eagle Wharf Road is the nearest to the site and is located approximately 180 metres to the north.

Trip Generation and Impact

- 6.7.7 The Trip Rate Information Computer System (TRICS) database has been used to understand the likely trip generation of the development. As the development includes the removal of 27 on-site parking garages, is car-free and residents will not be allocated permits for the CPZ (with the exception of blue badge holders), it is unlikely the development will generate any significant vehicle trip generation. Therefore most of the trips to and from the site are likely to be by sustainable modes such as walking, cycling and public transport. Given the scale of development the forecast trips are unlikely to have any significant adverse impacts on the transport network.
- 6.7.8 A Framework Travel Plan has been submitted as part of this application; a full Travel Plan is required via a Unilateral Undertaking to establish a long-term management strategy with measurable targets and create a package of measures to encourage sustainable and active travel. This document should include an

information pack to be provided to new occupants and moreover, the document is to be reviewed annually, for at least five years.

- 6.7.9 As previously noted, the 394 bus route operates on Wimbourne Street and the surrounding area. This is an important bus service in this part of Hoxton. It has a number of vulnerable residents and schools and this links to key parts of Hackney and Homerton Hospital. Discussions with TfL are ongoing to ensure service continuity throughout the development process.

Car Parking

- 6.7.10 A number of car parking surveys have been conducted by Alpha Parking to examine the parking capacity in close proximity to the development site. The applicant has included the mean average of parking surveys from November 2017 from roads within 200 metres of the site. The survey found that, of the 224 parking opportunities identified on-street in the surrounding area, on average across the two weekday overnight surveys, only 126 were occupied, resulting in a parking stress of 56.25%. A subsequent parking stress survey was conducted in 2020 on the four streets that are located in closest proximity to the development. This showed a similar level of parking stress to the survey in 2017 with an average level of parking stress of 59.12%. Whilst these parking stress surveys demonstrate that there is potentially additional capacity on the public highway, it is important to note that any additional motor vehicle parking is not supported. The Council's Transport Strategy is committed to reducing the dominance of private motor vehicles and reallocating carriageway road space for sustainable modes of transport.
- 6.7.11 The application site comprises a parcel of land currently containing 27 vacant garages, along with 28 CPZ car parking spaces, 15 of which are contained within estates.
- 6.7.12 As part of the development, all garages are proposed to be removed. A total of 16 estate CPZ parking spaces serving existing residents are re-provided on site, which includes 6 blue badge spaces. Further to this, 5 on street parking spaces are re-provided.
- 6.7.13 The development will result in a reduction of on and off street car parking. This is considered to comply with policy LP41 of LP33 which requires that all new development must reduce the dominance of the car both in terms of traffic and congestion on roads and managing excess parking on streets.
- 6.7.14 The development is proposed to be car-free so that future occupants will not be eligible for CPZ parking permits, ensuring that the development will not result in additional parking pressure on the surrounding highway network but will rely on more sustainable modes of transport. A clause in the Unilateral Undertaking will be imposed requiring two blue badge spaces (3%) be provided prior to the occupation of the development, and the remaining four blue badges spaces (7%) can be provided for future provision as and when additional requests of occupiers are made. The location of the blue badge parking is close to the respective entrance points of the respective buildings and deemed acceptable. This is in line with the London Plan and LP33 policy LP45.

Electric Vehicles and Car Clubs

- 6.7.15 Policy LP44 of LP33 requires that new major development must support sustainable transport initiatives such as cycle hire facilities, electric vehicle charging infrastructure and on-street car club development when development results in an overall reduction in car parking. Additionally, policy LP45 requires all major residential developments to contribute towards the expansion of the local car club network.
- 6.7.16 As noted above, the proposal includes a total of 16 estate CPZ parking spaces. Of these spaces, four are proposed to be active charging bays and two are proposed to be passive charging bays for electric vehicles; this is in accordance with the minimum requirement of policy 6.13 of the London Plan and policy LP45 of LP33. Policy T6 of the Intend to Publish London Plan states that *'where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles in line with policy T6.1'*. Policy T.61 requires at least 20% of spaces to have active charging facilities, with passive provision for all remaining spaces. The proposal provides 25% of spaces with active charging facilities which is considered acceptable. Whilst, only 2 (12.5%) of the remaining spaces are provided with passive provision; as these are re-provided spaces and the proposal results in an overall reduction of car parking, it is considered acceptable in this instance. Further, the new London Plan is currently in draft stage.
- 6.7.17 The proposal has not detailed contribution towards a car club, by way of a charging facility and a dedicated car club; however, in accordance with policy LP45, a contribution of £10,000 is sought via a unilateral undertaking, towards the installation of an electric vehicle charger, to facilitate an electric car club in close proximity to the development site, emphasising that car-club bays generally require fast chargers.
- 6.7.18 Policy LP43 of LP33 states that development will be permitted where it enables new residents to make journeys by active modes and policy LP42 requires development to provide cycle parking in accordance with appendix 2 of LP33. Requirements as set out in appendix 2 of LP33 include a minimum of 1 space per 45sqm dwelling and 2 spaces for every dwelling above 45sqm. Additionally, the development is required to provide 1 space per 10 bed spaces for visitors and 1 space per 25 units for visitors (minimum of 2). The proposed development includes the provision of 128 long stay cycle parking spaces and 254 short stay/visitor cycle parking spaces across the site.
- 6.7.19 The cycle parking requirements for the retail unit is outlined as 1 space per 75 sqm for staff and 1 space per 100 sqm for visitors (minimum 2 spaces).
- 6.7.20 The submitted Transport Statement outlines that Wimbourne North includes a secure communal cycle store on the ground floor. The store has space for 38 double stacked cycle racks providing 76 long-stay cycle spaces for residents. 12 spaces are provided in bike stores in the individual gardens, with m-stands in a bespoke enclosed or proprietary SBD bike store. Additionally, 14 short-stay cycle parking spaces are provided for visitor use in the form of 7 Sheffield-style cycle stands; 2 stands to the north of the cafe and 5 stands to the west of the ground floor units.

- 6.7.21 Wimbourne South also includes a secure communal cycle store on the ground floor. The store has space for 17 double stacked cycle racks providing 34 long-stay cycle spaces for residents. 6 spaces will be provided in the form of m-stands. Additionally, Wimbourne South includes 10 short-stay cycle parking spaces in the form of 5 Sheffield-style cycle stands within the landscape.
- 6.7.22 Transport for London has requested that 5% of long stay cycle parking stands be for adapted/larger bikes; this can be secured via condition. Moreover, it has been requested that 20% be provided as Sheffield standards, with the remainder provided as two-tier stands. In general, the Council prefers the provision of single tier stands owing to their greater level of accessibility for users. It is noted however, that the proposal would benefit from the submission of a compliant cycle parking plan, demonstrating compliance with the London Cycle Design Standards in terms of spacing and access. Some use of two-tier storage may be acceptable if some spaces are provided for those requiring easier access and for larger bikes.
- 6.7.23 Subject to conditions, the provision of cycle parking is in accordance with London plan policy 6.9 and table 6.3, in addition to policy LP43 of LP33.

Public Realm

- 6.7.24 The NPPF Paragraph 91 highlights the importance of connections between people and places and the integration of new development into the built environment, particularly to encourage social interaction, safe and accessible developments and enabling and supporting healthy lifestyles. In accordance with LP33 policies LP1 and LP41, all developments are expected to integrate the proposed development into the public realm and/or provide contributions to urban realm improvements in the vicinity of the site.
- 6.7.25 As noted previously, the development will create a new pedestrian route through the site increasing permeability of the area and encouraging walking and cycling. The applicant has picked a pallet of good quality materials, lighting solutions and landscaping to enliven the public realm within the site, and ensure a safe environment is created for all users with positive natural surveillance from the surrounding residential buildings.
- 6.7.26 The red line boundary includes Wimbourne Street and areas surrounding Parr Court, Bracklyn Court, Croyley Court and Wimbourne Court in order to facilitate public realm upgrade works as part of the proposal. These works will include a new shared surface between Bracklyn Court and the proposed estate CPZ parking, new paved surface around Wimbourne South including new access to New North Road, a new playground, the relocation of a substation and the relocation of the Wimbourne Street bus stop. Due to the inclusion of these proposed upgrades to the public realm within the redline boundary, a S278 agreement is not required. However, detailed designs and materials should be submitted to and approved by the LPA in consultation with the Streetscene team, with a condition imposed to secure delivery.

Access

- 6.7.27 The main access points to the new blocks is from Wimbourne Street with the access to the ground floor units of Wimbourne South provided to the rear of the

building opposite Croyley Court. The provision of new hard landscaping is proposed between Wimbourne South and Croyley Court which will connect the estate to New North Road. A number of routes are designed as part of a more pedestrian friendly shared surface area.

- 6.7.28 A new fence and gate is provided between New North Road and Parr Court's South entrance. This provides an additional line of security from the New North Road side, and hopes to limit the pedestrian movement through the site, allowing the playground and shared surface area to be a more resident focused space.
- 6.7.29 Details of the newly proposed paved surfaces and access routes throughout the site have been provided on the proposed landscaping plan, in addition to the materials schedule submitted. These are considered to be acceptable.

Demolition and Construction Management

- 6.7.30 An outline Construction Management Plan has been included within the Transport Statement. Given the nature of the proposed development, A Delivery and Servicing Plan (DSP) and Construction Management Plan (CMP) are required to be submitted in order to mitigate negative impact on the surrounding highway network. These should be in line with TfL CLP guidance.
- 6.7.31 It is also worthwhile to note that the surrounding area has a number of ongoing development sites, including Buckland Street (2020/1576). The applicant is expected to work collaboratively with other developers in order to carefully manage any conflict with other construction and highway works schemes in the area at the time of commencement.
- 6.7.32 To effectively monitor the final CLP the base fee of £8,750 is recommended to be secured via a unilateral undertaking.

Summary

- 6.7.33 Subject to conditions and completion of a Unilateral Undertaking the development is considered acceptable with respect to the level of car and cycle parking, along with scope of highway works. The proposal improves site legibility, promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network.

6.8 Landscape & Trees

- 6.8.1 Policy LP51 of LP33 requires all development proposals to retain trees of amenity value, especially veteran trees. The loss of trees can be permissible in exceptional circumstances and where there are overriding planning benefits. The policy goes on to state that it will seek adequate replacement planting within developments where trees are to be lost.
- 6.8.2 The general approach of any landscaping strategy should be to retain as many existing trees as possible and to provide a net increase in the number of trees across the site. The proposal requires the removal of the four trees to facilitate development:
- Mature Lime (T1) - Category B

- Semi-mature Ornamental Crab Apple (T3) - Category U
 - Newly planted Cherry (T16) - Category C
 - Newly planted Rowan (T18) - Category C
- 6.8.3 Three of the trees to be removed are identified as Category C or below. The other, T1 is recognised as a Category B tree of moderate quality and value with at least 20 years remaining life expectancy. T1 is a mature tree in good health, which makes a contribution to the urban greening of the local environment. None of the proposed trees to be removed are classified as veteran or ancient trees.
- 6.8.4 Various options to retain tree T1 have been explored during the course of pre-application discussions however, given the layout and design of the development the retention of the tree would preclude development of the site. It was concluded that the benefits of the proposal in regard to the provision of high quality affordable housing, public realm and landscape and biodiversity improvements would outweigh the benefit of retaining the tree.
- 6.8.5 The removal of trees is proposed to be offset with mature, mitigation planting following the completion of construction works and there is to be a substantial volume of new planting to mitigate for amenity and biodiversity harm that will accrue from the loss of existing specimens.
- 6.8.6 The removal of the Lime (T1) is proposed to be offset by the planting of three mature trees (1 x *Pinus sylvestris* and 2 x *Tilia cordata* 'Greenspire') adjacent to New North Road as part of the landscape proposals. These trees will be provided along New North Road and will fill the gap in the linear street greenery.
- 6.8.7 Whilst the loss of the mature Lime tree of this nature is regrettable, the proposed replacements, together with the other biodiversity and landscaping benefits referred to in this report, will be sufficient to ensure that biodiversity and public amenity impacts are adequately mitigated. As such, the removal of the tree and appropriate planting to offset the loss is considered appropriate in this context.
- 6.8.8 The remaining three trees to be removed will be offset with the planting of approximately 37 other trees located throughout the site. The proposed planting schedule is considered sufficient to offset the loss of the trees and will result in the provision of a consistent and intensive planting that will contribute to the urban greening and appearance of the area.
- 6.8.9 The proposed design layout extends into the theoretical Root Protection Area (RPA) of T7 (Category C, Early mature Cherry) by less than 10% where a footpath is proposed where the existing surface is grass. The AIA has confirmed that root investigations will be carried out in this area under arboricultural supervision before the commencement of works to confirm if roots are present with a view to minor root pruning, if necessary. If significant roots are identified, then alternative design solutions such as a 'no-dig' cellular confinement system will be required. (see Appendix 6: Methods of Work Close to Trees). This will be secured by condition.
- 6.8.10 Provided precautions to protect the identified trees are specified and implemented through the measures included in this Arboricultural Impact Assessment (AIA); the development proposal will have little impact on the retained trees or their wider

contribution to amenity and character. A condition will require tree protection measures to be carried out in accordance with the approved AIA.

6.9 Waste

- 6.9.1 LP33 policy LP57 seeks to ensure new development in Hackney supports the objectives of sustainable waste management.
- 6.9.2 The bin store for Wimbourne North is located at ground floor on the north elevation. Wimbourne North residents can access the bin store from an external courtyard located off the circulation core. Collection of the bins is through a set of double doors on the north elevation.
- 6.9.3 The proposal will provide a new bin store for Parr Court as Hackney Council plans to remove the existing bin chutes servicing Parr Court. The Parr Court bin store is located adjacent to the Wimbourne North bin store 16m away from the South entrance to Parr Court. Residents and collection crews access the store through a set of double doors.
- 6.9.4 A Bulky Waste Store of 7.5 sqm is provided adjacent to both the Wimbourne North and Parr Court bin stores; and is accessed from a set of double doors on the north elevation. The store is shared between Parr Court and Wimbourne North residents.
- 6.9.5 A separate bin store for the cafe unit at ground floor level of Wimbourne North is located adjacent to the bulky waste and 10m from the cafe unit. The store is accessed through a set of double doors on the north elevation.
- 6.9.6 In terms of refuse collection to Wimbourne North, the proposal requires the refuse vehicle to enter the site from the North, along the new shared surface of Bracklyn Court. The vehicle will then stop at the end of the turning head / access area to collect all residential & commercial refuse and recycling. Whilst Hackney's Refuse & Recycling Storage Guidance requires a maximum drag distance of 10m, the proposal currently has a drag distance of 17m for the Cafe/Commercial Waste, which is considered to be acceptable in this instance given the minor scale of the proposed unit.
- 6.9.7 The bin store for Wimbourne South is located at ground floor on the West elevation, adjacent to the communal entrance. Residents and collection crews access the bin store externally through a set of double doors.
- 6.9.8 As with Parr Court, Hackney Council is proposing to remove the bin chutes servicing Wimbourne Court and Croyley Court. To enable this a new bin store for Wimbourne Court and Croyley Court is proposed, located on the West elevation of Croyley Court.
- 6.9.9 A shared Bulky Waste store of 16.5m is located adjacent to the refuse store at Wimbourne South. The store is to be shared with the residents of the new Wimbourne South Block, Wimbourne Court and Croyley Court.
- 6.9.10 For Wimbourne South, the proposed collection points will be from the shared surface area and requires the refuse vehicle to reverse onto the shared surface from Wimbourne Street. The drag distance from Wimbourne South bin store is 4m

and the drag distance from the new Cropley Court and Wimbourne Court bin store is 5m.

6.9.11 The Council's Waste Officer has reviewed the proposal and raises no objection to the location or capacity of waste storage provided.

6.9.12 The development is deemed to meet the requirements of policy LP57 of the LP33.

6.10 Energy & Sustainability

6.10.1 All new developments need to consider statutory requirements to reduce pollution, energy and carbon emissions, and should incorporate best practice design principles and guidance where appropriate.

6.10.2 Policy 5.5 of the London Plan and policy LP55 of LP33 requires all new development to actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability. Under LP33, it is generally expected that new residential buildings will achieve zero carbon emissions over the lifetime of the building.

6.10.3 The proposed scheme seeks to achieve a 28% savings beyond baseline Part L with energy efficient measures alone. This exceeds the target of 10% carbon emission reductions at the 'be lean' stage of the energy hierarchy indicated in the recently adopted LP33. The cumulative residential carbon savings are estimated to be 80%. This exceeds the minimum of 35% savings and therefore it is acceptable that the remaining 3.088 tonnes of carbon reductions to reach the zero carbon target can be offset.

6.10.4 In addition to the residential development, the proposed commercial unit is subject to carbon reduction targets. Given the scale of the non-domestic area it is accepted that the café does not meet the baseline of Part L and falls below the recommended targets. It is also noted that the unit includes an individual VRC system, supplying acclimatised heating and cooling, which is supported. Therefore, in accordance with policy LP55 and the Planning Contributions SPD, the carbon offset contributions associated with the shortfall to 100% net zero emissions is 2.772 tonnes of CO₂ per annum.

6.10.5 In accordance with the Planning Contributions SPD the above offsets should be calculated at a rate of £2,850 per tonne to be offset (with the cost of carbon set at £95 per tonne emitted over 30 years). On this basis, a financial contribution of £16,701 is required via UU to ensure the development is in accordance with this policy.

6.10.6 To help mitigate the overheating risk and to minimise the need for cooling systems the proposal has been designed to allow for passive cooling through reduced solar gains, reduced internal gains and natural ventilation, alongside the use of mechanical ventilation with heat recovery.

6.10.7 The Council's Sustainability Officer has reviewed the proposal and raises no objection, subject to conditions requiring the submission of details pursuant to solar PV layout, window U-values, plant design and specification, air permeability testing and a biodiverse roof.

6.10.8 Policy LP58 requires all development to, as a minimum, not exceed air quality neutral standards or contribute to a worsening of air quality at the air quality at the construction or operation stage, over the lifetime of the development. The applicant has submitted a revised Air Quality Assessment (BWB, August 2020). This concludes that the proposed development, by nature of being car-free and using air-source heat pumps, would not exceed air quality neutral standards and moreover, mitigation measures have been suggested to ensure that air quality standards throughout the demolition and construction phase of the proposed development are appropriately managed.

6.10.9 Overall, subject to conditions and a carbon offset payment secured under the proposed UU, the development is considered to result in a sustainable form of development.

6.11 Flood Risk

6.11.1 London Plan policy 5.12 states that development proposals must comply with the flood risk assessment and management requirements over the lifetime of the development and have regard to measures proposed in flood management plans.

6.11.2 Policy LP53 of LP33 requires all development to have regard to reducing flood risk, both to and from the site, over its expected lifetime and requires that *'all developments should achieve greenfield runoff rates by attenuating rainwater on site, utilising SuDS and in accordance with the London Plan drainage hierarchy.'* The policy further states that all development should decrease vulnerability to flooding through appropriate siting, design and on-, and off-site mitigation.

6.11.3 Part of the site is shown to have a 'high' risk of surface water flooding and it has an increased potential for elevated groundwater.

6.11.4 The applicant has submitted a 'Below Ground Drainage and Surface Water Strategy' (Momentum Structural Engineers, February 2020) and an additional Civil Engineering Drainage Strategy (Momentum Structural Engineers, August 2020).

6.11.5 A condition has been recommended to require the submission of a sustainable drainage system to ensure that the discharge rate is not exceeded in any circumstances in order to meet the minimum standard of London Plan policy 5.13 and LP33 policy LP53.

6.11.6 To ensure satisfactory flood mitigation measures are implemented, a condition has been requested requiring flood resilient and resistant construction details. This is included within Recommendation A of this report.

6.12 Biodiversity and Ecology

6.12.1 Policy 5.11 of the London Plan and policy LP46 of LP33 requires that all development should enhance the network of green infrastructure and seek to improve access to open space. In accordance with policy LP46(F) of LP33, as previously mentioned, the development includes green roofing across the proposed residential buildings.

- 6.12.2 London Plan policy 7.19 states development proposals should, wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.
- 6.12.3 The applicant has included a Preliminary Ecological Appraisal (The Ecology Consultancy, February 2020) to support the proposed development. The report states that the site does not form part of any statutory or non-statutory nature conservation site and no Habitats of Principal Importance (HPI) were located on or in close proximity to the site.
- 6.12.4 The report encourages the retention of trees on site, where possible; with any removed trees replaced with at least two comparable trees. This has been demonstrated both through the landscaping scheme and the Arboricultural Impact Assessment. With the exception of the scattered trees, all other habitats on site were common and widespread in the locality and no particular constraints were identified in relation to the intrinsic value of the habitats present.
- 6.12.5 The report also outlines requirements for the removal of trees so as to support breedings bird nests. This will be included as a condition of the planning permission.
- 6.12.6 No objection has been raised by Natural England to the scheme and no response has been received from the Environment Agency.
- 6.12.7 Subject to landscaping and green roofing being undertaken successfully, and maintained in accordance with the maintenance plan, as well as trees being removed in accordance with the findings of the Ecological Appraisal, and the provision of bird nesting habitat, all of which will be secured via condition, the proposal is considered to have an acceptable impact on the biodiversity of the site and the wider Borough and is deemed to be in accordance with London Plan policy 7.19

6.13 Archaeology

- 6.13.1 The planning application lies in an area of archaeological interest.
- 6.13.2 An Archaeological Desktop Survey (Met Consultancy Group, June 2018) has identified that there is a low potential for archaeological remains pre-dating the post medieval period to exist within the site boundary. However, since no previous archaeological interventions are recorded to have taken place on the site, the presence or absence of remains has not been tested, and the possibility of remains of archaeological interest existing cannot be discounted.
- 6.13.3 There is a high potential for below-ground remains to survive within the site boundary in the form of cellars / foundations relating to mid-late 19th century terraced housing; these are considered to be of local significance and mitigation may be required, depending on the nature of groundworks associated with the proposals.
- 6.13.4 As such, it is considered necessary to undertake field evaluation to determine appropriate mitigation. A two stage archaeological condition should be included on the planning permission to require the submission of an evaluation to clarify the

nature and extent of surviving remains, followed, if necessary, by a full investigation.

6.14 CIL

6.14.1 Under the Mayor of London's CIL charging schedule, developments within the London Borough of Hackney are subject to a CIL rate of £60 per square metre of development, with the exception of medical/health/education uses. An addendum to this report will confirm the total Mayoral CIL charge for this development.

6.14.2 Hackney CIL is applicable to this development, at a rate of £190 per square metre of residential floorspace. An addendum to this report will confirm the total Hackney CIL charge for this development. However CIL relief can be claimed for all new floorspace used for affordable housing; this can be claimed in advance of commencement of works.

7.0 CONCLUSION

7.1 The development delivers a wide range of significant planning benefits through the redevelopment of a redundant garage site within the borough, providing high quality, mixed tenure housing to meet the needs of both local residents and the borough as a whole.

7.2 The development delivers a high standard of design, whereby the architectural treatment, massing and materiality gives coherence, whilst the variety in detailing adds contextual richness to the overall aesthetics of the scheme.

7.3 The proposal provides an exceptionally high standard of residential accommodation that is sustainable and accessible. Whilst the objections of residents are noted, the development will not give rise to any significant off-site amenity or highway impacts, especially to a degree that would outweigh the significant public benefits delivered.

7.4 The proposal is, on balance, deemed to comply with the relevant policies in the Hackney Local Plan 33 (LP33) and the London Plan (2016), and the granting of planning permission is recommended subject to conditions and the completion of the Unilateral Undertaking to secure the obligations identified within this report.

8.0 RECOMMENDATIONS

Recommendation A

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

8.1.1 Commencement within three years

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

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

8.1.2 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.

8.1.3 Materials

The development hereby permitted, shall be constructed strictly in accordance with the submitted Design & Access Statement and the materials specified within (Mikhail Riches, May 2020).

REASON: To ensure a high standard of design is delivered in accordance with the submitted drawings.

8.1.4 Details to be approved

Full details (manufacturer's details and samples if appropriate) of the following shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant parts of the development. The development shall not be carried out otherwise than in accordance with the details thus approved and retained in perpetuity.

- details of the proposed plant enclosure and screening, including details of their appearance in long views from Shoreditch Park
- physical samples of materials for external surfaces;
- a panel of brickwork, precast and metalwork samples to be erected on site.

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

8.1.5 No new pipes and plumbing

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

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

8.1.6 Demolition and Construction Management Plan

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

- A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means
- Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing and trip generation and effects on the highway network; details of parking suspensions (if required) and the duration of construction
- A dust management plan to include details of how dust from construction activity will be controlled / mitigated against following best practice guidance. This should include monitoring of particulate matter at the application site boundary in the direction of sensitive receptors following the SPG Mayor of London Control of Dust and Emissions Guidance.

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

8.1.7 Delivery and Servicing Plan

Prior to the occupation of the development a Delivery and Servicing Plan shall be submitted to and approved by the Local Planning Authority, in consultation with Transport for London, setting out:

- Frequency of deliveries per day/week
- Size of vehicles
- How vehicles would be accommodated on the public highway

Thereafter deliveries and servicing shall be carried out in accordance with the approved plan.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic or public safety along the neighbouring highway(s).

8.1.8 Public Realm Works

Prior to undertaking above ground construction works, detailed designs for public realm upgrade works within Wimbourne Street and New North Road, including resurfacing and landscaping works, EV charging points, the relocation of the bus stop on the north side of Wimbourne Street, the provision of 2 x blue badge parking bays, the provision of CPZ parking spaces, the installation of new pedestrian access to New North Road, the relocation of the substation and the installation of a new playground, shall be submitted to and approved by the Local Planning Authority, in collaboration with, and to the specification of the Local Authority's Streetscene team.

The public realm works shall thereby be carried out and completed strictly in accordance with the details approved, prior to the occupation of the development.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide a reasonable environmental standard in the interests of enhancing the public realm.

8.1.9 Landscaping

The landscaping scheme hereby approved shall be carried out within a period of twelve months from the date at which the development of the site commences or shall be carried out in the first planting (and seeding) season following completion of the development.

The landscaping shall be maintained in accordance with the details hereby approved to the satisfaction of the Local Planning Authority for a period of ten years. Such maintenance is to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: In the interests of the appearance of the site and of the area generally.

8.1.10 Tree Removal

All trees proposed to be removed must comply with the requirements of the Preliminary Ecological Appraisal, prepared by The Ecological Consultancy, in regards to breeding birds.

REASON: In the interest of biodiversity.

8.1.11 Tree Protection

Prior to undertaking any works on site, the tree protection measures specified in the Arboricultural Impact Assessment, prepared by Southern Ecological Solutions, for all retained trees at the site and the public highway shall be installed and maintained for the duration of demolition and construction works on site.

REASON: To protect the health of existing trees.

8.1.12 Tree Replacement

If any retained tree dies or its amenity value is largely destroyed a replacement tree of the same size and species will be replaced within one year, unless otherwise agreed in writing with the local planning authority.

REASON: To enhance the character, appearance and ecology of the development and contribution to green infrastructure

8.1.13 **Green Roof**

Prior to commencement of the relevant part the work, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed drawing, full specifications and a detailed maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat and a blue storage reservoir. Any biodiverse green roof should support at least 25 plant species.

The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

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.

8.1.14 **Biodiversity**

Prior to the occupation of the development hereby approved, details of bird and bat box provision, including swift bricks, at or close to eaves level shall be submitted to and approved in writing by the Local Planning Authority. The bricks/boxes shall be retained thereafter in perpetuity.

REASON: To provide potential habitat for local wildlife.

8.1.15 **Cycle Parking**

Prior to the commencement of above ground construction, a policy compliant cycle parking plan is required, which shows details of layout, foundation, stand type and spacing, of the 152 cycle parking spaces throughout the development. A minimum of 5% of long stay spaces should be for adapted/larger bikes

The storage spaces and stands must be kept in good working condition, in accordance with the above details, in perpetuity.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for future occupiers and in the interest of safeguarding highway safety.

8.1.16 **Motorcycle Parking**

Notwithstanding the details shown on the plans and documents hereby approved, motorcycle parking provision should be minimised to reduce travel by private vehicles in line with the active travel targets of the Mayor's Transport Strategy (MTS). Any motorcycle parking provision should therefore be designed to cater only for current or past, not future increased, demand.

REASON: In the interest of promoting sustainable transport.

8.1.17 External Lighting

Prior to the occupation of the development, a detailed external lighting plan detailing light coverage and spill (including lux levels) across the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard against adverse light pollution.

8.1.18 Air Permeability

Prior to occupation of the development hereby approved, a full air permeability test report confirming the development has achieved an average air permeability of 3 m³/h/m²@50pa shall be submitted to and approved in writing by the Local Planning Authority

REASON: To ensure that the proposals meet sustainability objectives.

8.1.19 Windows

Prior to the occupation of the development, confirmation shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the windows of the development have an U-value equal or below 0.9 W/m².K, a maximum g-value of 0.5 and sound reduction indexes recommended in the acoustic report.

REASON: To reduce heat losses, mitigate noise and the risk of overheating with passive strategies avoiding reliance on active cooling systems.

8.1.20 Solar PV Layout

Prior to occupation of the development hereby approved, a certification by an accredited PV installer confirming that an array with an overall capacity of at least 47.92kWp has been installed on the roof of the development shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and securing sustainable development

8.1.21 Plant Design and Specification

Notwithstanding the details shown on the plans and documents hereby approved prior to occupation of the development, confirmation that the following specifications are in line with that approved, shall be submitted to and approved in writing by the Local Planning Authority.

- Certificates from the installer of the plant systems confirming details of the Seasonal Coefficient of Performance (SCoP) and Seasonal Energy Efficiency ratio (SEER), if applicable;
- Location of possible connection points to connect the centralised energy system to a district heating network if one becomes available in the future;
- Full details of location of the condenser units from the VRF systems or any fixed plant adopted (e.g. ASHP on the roof) and substation and confirmation that solutions to mitigate noise impact to nearby sensitive receptors have been implemented;
- Information that refrigerants used in plant and DWH equipment have a Low or Zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP);

- Commitment to monitor the performance of the energy system post-construction, to ensure the expected performance approved is achieved. This shall be monitored on an annual basis for a period of 5 years and submitted for approval. If the performance is significantly different from the original predicted, mitigating solutions shall be proposed.

REASON: To ensure the development meets the sustainability and climate change requirements of the Local and London Plans

8.1.22 **Contaminated land (Pre-Commencement):**

Development will not commence except for demolition until supplementary physical site investigation work has been undertaken and fully reported on and a remedial action plan has been produced all to the satisfaction of and approved in writing by the Planning Authority. Where physical site investigation work has not been agreed at a pre-application stage further physical investigation work must be agreed with the contaminated land officer before being undertaken. Development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development verification report has been produced to the satisfaction of and approved in writing by the Planning Authority. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Planning Authority and Contaminated Land Officer must receive verbal and written notification at least five days before investigation and remediation works commence.

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

8.1.23 **Contaminated land (Pre-Occupation):**

Prior to occupation of the development hereby approved, a post-development verification report will be produced to the satisfaction of and approved in writing by the Planning Authority. The verification report must fully set out any restrictions on the future use of a development and demonstrate that arrangements have been made to inform future site users of the restrictions. Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Contaminated Land Officer must receive verbal and written notification at least five days before development and remedial works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases. Any additional, or unforeseen contamination encountered during the course of development shall be immediately notified to the Planning Authority and Contaminated Land Officer. All development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Contaminated Land Officer. Where development has ceased in the affected area, it shall recommence upon written notification of the Planning Authority or Contaminated Land Officer.

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

8.1.24 **Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in

writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

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

8.1.25 **Internal Ambient Noise Levels - Good Standard**

All residential premises shall be designed in accordance with BS8233:2014 'Sound insulation and noise reduction for buildings - Code of Practice' to attain the following internal noise levels:

Good resting conditions: Living rooms 35 dB (day: T =16 hours 07:00 – 23:00)

Good sleeping conditions: Bedrooms 35 dB (night: T = 8 hours 23:00 – 07:00)

L_{Amax} 45 dB (night 23:00 – 07:00)

A test shall be carried out prior to occupation of the residential units to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources

8.1.26 **Sound Insulation between Residential and Commercial Properties**

Prior to the commencement of above ground works, the applicant shall submit a scheme of sound insulation to be installed between the commercial unit on ground floor and residential units on the first floor, to be approved by the Local Planning Authority in writing.

The insulation scheme shall be installed in accordance with the detailed thereby approved.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from the commercial use.

8.1.27 **Plant/Equipment Noise**

Prior to the occupation of the development, an assessment of the expected noise levels arising from any plant to be installed, together with any associated ancillary equipment, shall be carried out in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound.' and any mitigation measures necessary to achieve the above required noise levels, shall be submitted to and approved by the Local Planning Authority in writing.

The plant shall thereafter be installed and maintained in accordance with the approved details.

REASON: To protect the amenity of the surrounding environment and residential properties.

8.1.28 **Flood Mitigation**

A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk shall be submitted to and agreed, in writing with the LPA in consultation with the LLFA prior to the construction of the measures. The scheme shall be carried out in its entirety before the development is occupied and; constructed and completed in accordance with the approved plans in line BS 8582:2013 code of practice for "surface water management for development sites".

REASON: To safeguard against flooding and pollution.

8.1.29 **Sustainable Drainage Systems**

Notwithstanding the details shown on the plans and documents hereby approved, prior to commencement of the development, the applicant shall submit full details of a sustainable drainage system supported by appropriate drawings, hydraulic modelling, calculations, specifications, construction details and a site specific maintenance and management plan for the drainage system, for approval by the Local Planning Authority in writing. The sustainable drainage system shall not exceed 2 l/s runoff rate for all return periods up to the 1 in 100 year storm events plus an allowance for climate change. The development shall not commence until written confirmation has been received from the LPA in consultation with the LLFA, confirming approval of the surface water drainage measures.

REASON: To safeguard against flooding and pollution.

8.1.30 **Waste**

Prior to the occupation of the development, the waste storage facilities for the residential and commercial units, hereby permitted, shall be constructed and shall be maintained as such, in perpetuity.

REASON: To ensure sufficient refuse and recycling storage within the development.

8.1.31 **Building Regs M4**

At least 10% of all dwellings across all tenure types within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

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

8.1.32 **Secure by Design Details**

Prior to above ground works of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included

shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

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

8.1.33 **Secure by Design Certification**

Within 6 months of first occupation of the development hereby approved, details confirming the development has achieved Secure by Design Gold Standard certification shall be submitted to the Local Planning Authority.

REASON: To safeguard against anti-social behaviour and crime.

8.1.34 **Written Scheme of Investigation**

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

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 by the local planning authority in writing. 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:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: To safeguard potential archaeological works.

8.1.35 **Hours of Operation**

The use of the commercial unit within Wimbourne North shall not operate outside of the following hours:

Monday - Saturday: 08.00hrs - 21:00hrs

Sunday and Bank Holidays: 09.00hrs - 18:00hrs

REASON: To ensure the amenity of neighbouring residents is not adversely affected by noise.

8.1.36 Retail Unit

The ground floor commercial floorspace hereby approved shall at all times be used only for retail purposes (Use Class A1) and for no other purposes in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

REASON: In order to safeguard the provision of retail floorspace to meet the needs of local residents.

8.1.37 No Primary Cooking Facilities

No primary cooking shall be undertaken at the cafe use hereby approved unless otherwise agreed by the Local Planning Authority.

REASON: To safeguard against odour and noise impacts

Recommendation B

8.2 That the above recommendation be subject to the landowners and their mortgagees enter into a Unilateral Undertaking by means of a legal deed in order to secure the following matters to the satisfaction of the Corporate Director, Legal, Human Resources and Regulatory Services:

- 1) Apprenticeships – apprentices (residents of Hackney) in the various building trades such as brick laying, carpentry, electrical, plumbing and plastering and the new methods of construction. At least one full framework apprentice is to be employed per £2 Million of construction contract value.
- 2) Commitment to the Council's local labour and construction initiatives, including Employment and Skills Plan.
- 3) Hackney Works Employment and Training contribution (construction phase) of £25,560.
- 4) Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.
- 5) Adoption and compliance with Travel Plan and Travel Plan Monitoring fee of £2,000.
- 6) A contribution of £8,750 towards Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring is sought.
- 7) A contribution of £10,000 for the installation of an electric vehicle charger to facilitate an electric car club in close proximity to the development site is sought.

- 8) Car Club Membership - To provide three (3) year's free car club membership for one (1) new resident of each residential unit, on first occupation of the each residential unit (59 x £60 = £3,540).
- 9) Sustainable Transport contribution £25,000 is sought to off-set the impact of the development to provide sustainable transport initiatives in Hackney.
- 10) Non Blue Badge holding residents to be restricted from applying for car parking permits within current and future adopted Controlled Parking Zones adjoining the site.
- 11) The four blue badge parking bays not immediately established, shall be provided as required, at the request of future occupants of the ground floor residential units.
- 12) Carbon offset contribution of £16,701.
- 13) Provision of 22 Social Rent (12x1-bed, 8x2-bed, 2x3-bed) and 11 Intermediate (4x1-bed, 4x2-bed and 3x3-bed) units.
- 14) Monitoring costs in accordance with the Planning Contributions SPD to be paid prior to completion of the proposed Unilateral Undertaking.
- 15) 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 Unilateral Undertaking.

Recommendation C

- 8.3 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 conditions or recommended heads of term for the Unilateral Undertaking 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).

9.0 INFORMATIVES

The following informatives should be added:

- SI.1 Building Control
- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.24 Naming and Numbering
- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping

- SI.40 Application for Advertisement Consent - Advert Not Shown
 - SI.45 The Construction (Design & Management) Regulations 1994
 - SI.48 Soundproofing
 - SI.50 Unilateral Undertaking
 - SI.57 CIL
 - NPPF Applicant/Agent Engagement
-
- NSI A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
 - NSI 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
 - NSI With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
 - NSI The best practical means available in accordance with British Standard Code of Practice BS5228 shall be employed at all times to minimise the emission of noise from the site.
 - NSI A Trade Effluent Consent will be required for any Effluent discharge other than 'Domestic Discharge'. Applications for this consent should be made to Thames Water.
 - NSI If a variation to the approved design is sought, the prospective applicant should look to secure this through either a s96a non-material amendment or s73 variation of condition application. It is advisable to seek the advice of the Local Planning Authority before submitting.
 - NSI Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects

in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

NSI For a complete explanation of certified products please refer to the Secured by Design guidance documents which can be found on the following website: www.securedbydesign.com

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

Aled Richards - Director, Public Realm

No.	Background Papers	Name/ Designation and Telephone Extension of Original Copy	Location Contact Officer
1.	<p>Hackney Local Plan 2033 and London Plan 2016.</p> <p>Submission documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies.</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p>	<p>Alix Hauser Planning Office x6377</p>	<p>2 Hillman Street London E8 1FB</p>

APPENDICES

Housing Supply Tenure and Housing Mix

HOUSING SUPPLY PROGRAMME - TENURE MIX							
Social rent		Shared Ownership		Private Sale		UU (Or) Total	Forecast Total *
UU (Or) Total	Fcast Total	UU (Or) Total	Fcast Total *	UU (Or) Total	Fcast Total*		
143	240	139	157	123	300	405	697

*Forecast figures are subject to change