

ADDRESS: Northside Studios, 16-29 Andrews Road, E8 4QF	
WARD: London Fields	REPORT AUTHOR: Louise Prew
APPLICATION NUMBER: 2020/1082	VALID DATE: 27/04/2020
DRAWING NUMBERS: Proposed plans: 615-PL-10-010 P1, -011, -100 P6, -101 P3, -102 P3, -103 P3, -104 P6, -105 P6, -106 P4, -107 P2, -201 P2, -202 P4, -203 P3, -204 P3, -205 P1, -206 P4, -207 P4, -208 P5, -301 P2, -302 P5, -303 P3, -304 P3 Existing plans: 615-PL-EX-100 P2, -101 P2, -103 P2, -104 P2, -201 P1, -202 P1, -203 P1, -204 P1, -205 P1, -301 P1, -302 P1, -303 P3, -304 P2 Air Quality Assessment prepared by Redmore environmental dated 3 September 2020 Construction management plan prepared by Alium Group dated 13/08/2020 Daylight and Sunlight Impact Assessment prepared by eight associates dated 06/07/2020 Design and Access Statement prepared by gpad dated 27 March 2020 Design and access statement addendum prepared by gpad dated July 2020 Energy and Sustainability Statement prepared by eb7 dated 3 July 2020 Heritage Statement prepared by Built Heritage Consultancy, dated March 2020 Interior Daylight Analysis prepared by Eight associates, v5, dated 08/07/2020 Noise Impact Assessment prepared by ALN acoustic design dated 25 March 2020 Planning statement prepared by Maddox Planning dated Planning statement addendum prepared by Maddox Planning dated July 2020 Transport Statement prepared by Yes Engineering Group Ltd dated July 2020	
APPLICANT: Woolbro Ltd	AGENT: Maddox Planning 68 Hanbury St Spitalfields London E1 5JL
PROPOSAL: Two storey roof extension to the existing building to provide 7 additional residential units including increased height to stair core; reconfiguration of the ground floor to include additional bin and cycle storage; and installation of new escape stair	
POST-SUBMISSION AMENDMENTS: <ul style="list-style-type: none"> ● Reduction in size of scheme from 9 to 7 units ● Reduction of scale of proposed extensions and alterations to rear walkway to sit above the existing building. ● A Construction Management Plan was provided. ● Revised Daylight and Sunlight, Energy and Transport Statements were submitted. <p>The revised scheme was subject to reconsultation.</p> <p>An air quality assessment was produced which was not subject to consultation as this did not materially change the proposal, but added further information..</p> <p>Juliet balconies were removed and waste storage relocated after reconsultation but the minor nature of the changes did not warrant further consultation.</p>	

RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and completion of a legal agreement.

REASONS FOR REFERRAL TO SUB COMMITTEE:

The application has been referred due to the level of public interest

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	Yes (J)	
Conservation Area		No, but within setting of Regent's Canal
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Office Area	Yes (Mare St)	
Central Activities Zone		X

LAND USE

			Floor space (m2)	Units
Existing	C3	Residential	882	10
	B1	Commercial	984	12
Proposed	C3	Residential	1445	17
	B1	Commercial	984	12

PARKING DETAILS

	Parking spaces (general)	Blue badge parking spaces	Cycle storage
Existing	2	0	0
Proposed	2	0	47

CASE OFFICER'S REPORT

1 SITE AND CONTEXT

- 1.1 The application site is located on the eastern side of Andrews Road and contains a four storey building with two full storeys and two set back storeys. The ground and first floors comprise small commercial units with a communal undercroft car park, cycle and bin storage. The second and third floors each hold five two-bedroom residential units.
- 1.2 The residential and commercial units (except for one commercial unit) are accessed through the undercroft car park. An internal lift and staircase connects the floors and units are accessed off external walkways.
- 1.3 The site is adjacent to a Council depot, located to the north, with a five-storey residential building "Crystal Court" adjacent to the east. A new residential building with a maximum height of 7 storeys is under construction to the south on the corner with Sheep Lane.
- 1.4 The site sits on the north-eastern side of Regent's Canal at the boundary with London Borough of Tower Hamlets, which is located on the southern side of the canal. The canal is a designated Conservation Area, Site of Importance for Nature Conservation (SINC), and green corridor. The site is also located within the Mare Street Priority Officer Area.

2. CONSERVATION IMPLICATIONS

- 2.1 The site is located within the setting of Regent's Canal Conservation Area (designated by both London Borough of Hackney and London Borough of Tower Hamlets) lying approximately 6 metres from the conservation area boundary. There are no statutory nor locally listed buildings within the immediate vicinity of the site which would be affected by the proposed development.

3. HISTORY

- 3.1 2002/0113 - Redevelopment to provide a 4 storey building (with balconies/terraces) comprising 806.7sqm business space on ground and first floor level with 10 x 2 bedroom flats on second and third floor level was approved by committee and granted on 31/05/2005
- 3.2 2004/1800 - Amendments involving changes to all external elevations and fenestration, revised layout of residential floorspace, changes to the number and layout of B1 units (809.3sqm) and parking arrangements with reference to planning permission 2002/0113 dated 18/12/03 for the redevelopment to provide a four storey building (with balconies/terraces) comprising 809.3sqm B1 space on ground and first floor with 10x2 bedroom flats on second and third floor level was approved by committee and granted on 13/10/2005.
- 3.3 2005/1666 - Installation of security gates (fronting Andrews Road) was granted on 21/10/2005
- 3.4 2018/0648 - Erection of a single storey extension to infill the existing terrace at second floor level on the north elevation was granted on 19/04/2018.

4 CONSULTATIONS

4.1 Date Statutory Consultation Period Started: 30/04/2020

4.2 Date Statutory Consultation Period Ended: 24/05/2020

4.3 Site Notice: Yes

4.4 Press Advert: Yes

4.5 Reconsultation period: 22 July 2020 to 15 August 2020

4.6 **Neighbours**

4.6.1 Letters of consultation were sent to 77 neighbouring occupiers. At the time of writing the report, 34 individuals have objected to the proposal. A group submission signed by 31 of the occupants of the current building was also received. Many of the signatories to this objection also submitted their own objections to the scheme.

4.6.2 Following amendments to the scheme and the provision of additional documentation the following comments were made. As with the first consultation, a group submission was received and individual comments from many of the signatories. The following comments were made:

Principle of development

- Falls short of employment and family sized unit policies.
- Objector believes the development is exempt from affordable housing contribution

Design

- Overdevelopment of the site.
- Proposed design is not in keeping with the surrounding area - will be incongruous. Materials should be appropriate for the surroundings.
- Building will rise above Ion House / Watermark although this building was reduced in height to meet the height of Northside Studios

Amenity

- Juliet balconies will overlook terraces reducing privacy
- Staircase will create noise and disturbance for ground floor units
- Noise issue associated with use of the front gate.
- Security concerns relating to the new staircase.

Standard of accommodation

- One bathroom per three bedroom unit will lead to unhappy families

Transport and waste

- Construction management is not sufficient for scale and type of development. Residents should have a clear indication of what will happen to them. CMP would block use by residents of the building. Object to construction on Saturdays, lift out of use for 10 weeks. Includes plans not relevant to this site.
- Building works disruption (sound and dust)
- The bike parking takes up too much space and removes communal space

- Issues with current bin capacity and issues relating to proposed position as it would create a tunnel of waste and the post boxes need shifting. New bin store would mean cars need to back out onto the street.

Existing services and building control issues

- There is currently low water pressure and the developer hasn't shown that they would be able to upgrade the existing services.
- There is uncertainty about whether the building can hold two additional floors
- Issues with capacity of current lift and the noise issues associated with it.
- Noise Impact Assessment does not include details of soundproofing between floors.

Other issues

- Errors in documents referring to wrong address, access to commercial units, missing bus routes and misspelt developer name.
- Lack of engagement with developer
- Support removal of external walkways

4.6.3 *Officer's response: The objections above have been addressed in the relevant sections of the assessment section of this report.*

4.7 **Statutory Consultees**

4.7.1 Central and South Hackney CAAC: Objection to this application for the additional two storey roof extension. The design is very disappointing for a major residential scheme in a very prominent location and adjacent to the Regents Canal Conservation Area. The proposed residential mix of accommodation fails to fully comply with Hackney Councils requirements. The design is poor, proposed dark grey cladding is uninspired. The increase in building height is overbearing, unacceptable and the scheme is overdeveloped.

4.7.2 London Borough of Tower Hamlets: LBTH Planning Department have no objection, subject to Hackney Planning Department being satisfied that the proposal would not have an unacceptable impact on the daylight/sunlight levels received by residential properties at Imperial Wharf and Alexandra Wharf on Darwen Place and London Wharf on Wharf Place (properties within LB Tower Hamlets).

4.7.3 Thames Water: No response received

4.8 **Council Departments**

4.8.1 Transport: No objection subject to conditions and contributions towards highway works

4.8.2 Waste: No objection, subject to alterations to the proposed bin stores

4.8.3 Environmental Protection (Noise): No objection

4.8.4 Environmental Protection (Land): No response

4.8.5 Air quality: No objection, subject to ensuring on NOx air pumps.

4.8.6 Drainage: The site is shown to have a 'high' risk of surface water flooding and an increased potential for elevated groundwater. Condition for details of the green roof is recommended.

4.9 **Local Groups**

- 4.9.1 Hackney Swifts Group: We welcome the proactive specification of a green roof and request that this is a biodiverse type to ensure a gain for biodiversity, in accordance with Hackney Biodiversity Action Plan, and NPPF 2019.
Bat and/ or bird boxes would further enhance the local biodiversity - the adjacent Regent's Canal SINC has regular sightings of bats. Lighting should consider the presence of the canal and the impact on bats and insects. An ecologist can advise on the location or manufacturer's instructions for the swift bricks may be followed.

5. **PLANNING POLICIES**

5.1 **London Plan (2016)**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 5.18 Construction excavation and demolition waste
- 6.2 Providing public transport capacity and safeguarding land for transport
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.4 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate townscapes
- 7.19 Biodiversity and access to nature
- 7.30 London's canals and other rivers and waterspaces
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

5.2 **Hackney - A Place for Everyone Local Plan 2033 (2020)**

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non Designated Heritage Assets

- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP26 Employment Land and Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP31 Local Jobs, Skills And Training
- 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
- LP49 Green Chains and Green Corridors
- LP51 Tree Management and Landscaping
- LP52 Water spaces, Canals and Residential Moorings
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.3 Supplementary planning documents and guidance

- Sustainable design and construction SPD (2016)
- S106 Planning Contributions SPD (2020)
- Regent's Canal Conservation Area Appraisal (2007)
- The control of dust and emissions during construction and demolition SPG (2014)
- Sustainable design and construction SPG (2014)
- Housing SPG (2016)

5.4 National planning policies / guidance

- Technical Housing Standards - nationally described space standard (2015)
- National Planning Policy Framework (2019)
- Planning Practice Guidance

5.5 Emerging planning policy

- 5.5.1 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.
- 5.5.2 The adoption of the new Plan is not imminent.

5.5.3 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.

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

6. COMMENT

Background

6.1 The proposal seeks to add an additional two floors of residential floorspace to the existing four storey building. During the course of the application the scheme has been reduced by two units (to a total of 7 additional units) and the extensions reduced in scale. There will be 4 units at the new fourth floor and 3 units at the new fifth floor.

7. CONSIDERATIONS

7.1 The revised scheme has been assessed and is discussed in this report. The main planning considerations relevant to this application are:

- Land use
- Affordable housing
- Design and conservation
- Amenity impacts upon nearby occupiers
- Quality of accommodation
- Transportation
- Waste management
- Energy & sustainability
- Flood risk
- Biodiversity, trees and open space
- Pollution

7.2 Each of these considerations is discussed in turn below.

7.3 Land use

7.3.1 The site is located within Mare Street Priority Office Area. Policy LP27 of Local Plan 2033 (2020) states that new development within designated POAs will be permitted where it is employment-led and where B1 use class is the primary use in line with the below thresholds, subject to viability.

7.3.2 Residential uses within POAs are permitted but where these are part of a wider employment led mixed use scheme.

7.3.3 Whilst the proposal seeks to provide residential accommodation and therefore is not strictly in accordance with employment policies, given residential use has already been established on the site and the second and third floors are solely used for residential purposes it would be difficult to accommodate a separate core for any additional employment floorspace. As such, it is considered that the provision of additional residential accommodation is more suitable for the application site in this particular instance. Furthermore Policy LP12 sets housing supply targets for Hackney of 1,330 dwellings per year, therefore the provision of housing would be supported by LP12.

Housing mix

- 7.3.4 London Plan (2016) policies 3.8 and 3.9 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 mix may be considered dependent on site, area, location and characteristics and scheme viability. LP33 policy LP14 sets out the preferred dwelling size mix in Hackney. For market units this is 33% three bedrooms, and of the remaining units more two-bedroom units than one-bedroom units should be provided.
- 7.3.5 The proposal is for seven units. Of these two will have three bedrooms, three two bedrooms and two one bedroom. The three-bedroom units would comprise 28.6% of the scheme which is sufficient due to the scale of the scheme. This is broadly in line with the requirements of LP14 and therefore acceptable.

7.4 Affordable housing

- 7.4.1 LP13 of Local Plan 2033 (2020) requires that small sites provide 50% of housing on site as affordable housing or a contribution in lieu equivalent to 50% of housing. The S106 planning contributions SPD (2020) sets the payment in lieu figure at £50,000 per unit. The development is therefore liable for a payment of £175,000 which will be secured through a legal agreement.

7.5 Design and Conservation

- 7.5.1 London Plan (2016) 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, comprising the highest quality materials and design appropriate to its context. Policy LP1 of the Hackney Local Plan, seeks to ensure all development is of the highest architectural and urban design quality with LP3 safeguarding the setting of any designated heritage assets.

Form and massing

- 7.5.2 The existing four-storey building comprises two distinct sections, the lower two commercial floors which sit immediately on Andrews Road, and the upper two residential floors which are set back from the main frontage. The architecture of the scheme is intended to complete and terminate the existing building by responding to its character and massing. The proposal seeks to continue this form and massing by setting the new two floors back again an equal distance from the one below and having a new materiality which clearly distinguishes it from the floors below. The proposed massing and siting reduces any impact on pedestrians using Andrews Road and the canal path, creates terraces of activity at upper floor levels and emulates the pitches of older buildings nearby. The stepped massing also helps diminish the impact of the development when seen in longer views such as from Cat and Mutton Bridge. This approach creates a subservient top to the building. The proposal will give a 'top' to the building which at present has a base level, which gives a strong frontage to the street, and a middle level of staggered white frontages. The new upper level will cap the building with a darker material reminiscent of roofing materials nearby.

- 7.5.3 The proposal sits adjacent to a larger development which is under construction and is part of a row of buildings with varying heights and characters. It is noted that the neighbouring building which is under construction has stepped down towards Northside Studios. Visually this link between the two buildings will be retained with the existing height here retained and the two new floors set further back towards the rear of the site.

Architectural detail and materials

- 7.5.4 The proposal largely replicates in design the floors below, albeit stepped back at each new level. The development introduces a hierarchy of windows with smaller windows at fifth floor, which is characteristic of older buildings. Glass balustrade will be fitted on balconies. These help to reduce the bulk of the building and relate to the glass balustrades of the lower levels.
- 7.5.5 Fixed planters are to be fitted on fourth floor balconies to allow for greening of the frontage. This is intended to add visual interest to the top of the building, a condition will be used to secure details of the planting to ensure it is suitable and sustainable for the location.
- 7.5.6 The materiality is black corrugated metal cladding which will visually terminate the building. It is proposed to lay the cladding horizontally to emphasise width rather than height. The corrugated metal cladding is a reference to the industrial character of the canal. This materiality is used successfully in other schemes nearby. Windows will be natural timber finish which will contrast with the black cladding.
- 7.5.7 Details including samples of the precise material and the way it will be used will be required by condition to ensure the development is high quality, and suitable for its location.

Conservation

- 7.5.8 The application was accompanied by *Heritage Statement* (prepared by Built Heritage Consultancy, dated March 2020) which discusses the effects of the proposal on the setting of Regent's Canal Conservation Area (as designated separately by both Hackney and Tower Hamlets) and the setting of Ada Workshops, a locally listed building at 8 Ada Street.
- 7.5.9 The proposed extensions being of an appropriate height and massing and when viewed in the context of nearby development are not considered to harm or have adverse impacts on either the setting of the Conservation Area or the locally listed buildings. It would therefore meet the statutory presumption under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 in favour of 'preserving or enhancing the character or appearance' of the conservation area. It is also considered to be compliant with paragraph 197 of the National Planning Policy Framework, which deals with undesignated heritage assets.

7.6 Amenity impacts upon neighbouring occupiers

- 7.6.1 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.

- 7.6.2 The development has been assessed for its impact on both the existing residents within Northside Studios and surrounding buildings. Impacts in relation to effects on daylight and sunlight levels, outlook and overlooking and privacy are standardly assessed.

Daylight and sunlight

- 7.6.3 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the levels of daylight and sunlight received by adjoining properties. BRE guidance is standardly used by developers to understand the impact of the proposals on the existing residents in the vicinity.
- 7.6.4 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, developments may struggle to meet daylight and sunlight figures in both existing and proposed situations. The BRE figures are therefore used as guidance rather than being set figures and assessments take into account site context.

Northside Studios

- 7.6.5 The application was accompanied by *Interior Daylight Analysis* (prepared by Eight associates, v5, dated 08/07/2020) which assessed the impact of the proposals on the existing residential units within the development. Vertical Sky Component (VSC) and Average Daylight Factor (ADF) assessments were made.
- 7.6.6 VSC calculations were undertaken for the twenty bedrooms (22 windows) located to the rear of the site. VSC figures recommend a figure of 27 or a reduction of not more than 20% from existing to proposed to ensure the change in light levels will not be noticeable. The living rooms were not assessed as the proposal was not likely to affect these rooms due to its rooftop location. However, given the stair core is getting taller it was considered necessary to include a VSC calculator for the rear bedrooms.
- 7.6.7 16 of the 22 bedrooms met the recommended BRE guidance. Two of the rooms which did not meet the standard were secondary windows in bedrooms where the primary windows met the standard. The four remaining windows within flats 8 and 9 would experience a reduction of daylight of between 26.4 and 32.9% for unit 8 and 54.1% and 60.9% for unit 9. This is largely due to the stair and liftcore being extended to allow access to the new residential units.
- 7.6.8 ADF is a measure of the adequacy of diffuse daylight within a room, and accounts for factors such as the size of a window in relation to the size of the room; the reflectance of the walls; and, the nature of the glazing and number of windows. The recommended figures for ADF are 1% in bedrooms and 2% in kitchen /living areas or no more than 0.8 loss between existing and proposed scenarios. The ADF figures for 30 rooms within the existing flats were assessed. Sixteen rooms meet the recommended ADF standard in the existing scenario and all but one of these would retain sufficient light above the recommended figure in the proposed scenario. Of the rooms which do not currently meet the proposed ADF (14 rooms), 10 would have a reduction of less than 20% in line with BRE guidance. Of the four rooms which would not meet the standard and would experience a reduction of greater than 20% two are experiencing a reduction from 0.02 to 0.01 and two would experience a loss of 22% for their rear bedrooms which is considered a marginal shortfall and adequate daylight would still be received. The two remaining windows serve flat 9 which would, as outlined above, likely notice a reduction in daylight to the rear bedrooms due to the stair core being extended.

- 7.6.9 With regard to Flat 9, it is important to note this unit would continue to receive good levels of light into the living room which is located to the front of the unit and would not be impacted by the development. Given this is the main habitable area of the flat and it would not be impacted it is considered on balance to be acceptable. Furthermore it is important to note the loss of light is as a result of the additional stair core to enable access to the new units, due to the constraints of the site it is not possible to position this elsewhere. On balance, given the overall acceptable levels of light received to the development and the fact that some deviation is expected from BRE guidance due to the tighter urban context in which it is being applied, the daylight and sunlight impacts are considered acceptable.

Surrounding developments

- 7.6.10 The application was accompanied by *Daylight and Sunlight Impact Assessment* (prepared by eight associates dated 06/07/2020) which assessed the impact of the proposal on Ion House, 1-16 Crystal Court, 17-32 Crystal Court, Imperial Wharf (1), Imperial Wharf (2) and London Wharf.
- 7.6.11 Three tests were carried out:
- Vertical Sky Component (VSC) - This is the ratio of the direct sky illuminance on the centre of the outside pane of a window, to the simultaneous illuminance on an unobstructed horizontal plane. This must be greater than 27% or more than 0.8 times its former value (before the new development).
 - No-skyline (NSL): This is the outline of the area that has a direct view of the sky on a working plane. Where room layouts are known, in each of the main rooms, the area that receives direct light from the sky must be more than 0.8 times its former value (before the new development).
 - Annual Probable Sunlight Hours (APSH): This is the average of the total number of hours during a year in which direct sunlight reaches the centre of a window. This must be more than 25% of the total Annual sunlight hours including at least 5% of the total annual sunlight hours in the winter months or more than 0.8 times its former value.
- 7.6.12 Each neighbouring building has been assessed against the three tests and the details are outlined below.
- 7.6.13 Ion House
- 55 windows were assessed for VSC and all but 6 windows meet the VSC recommended levels. Of these, 5 windows had very low levels in the existing situation and so the reduction in daylight is unlikely to be perceivable. In the last room, the reduction is 29.5% and it is noted there may be a noticeable reduction for this room.
 - All rooms, of 43 assessed, meet the NSL recommendations except for one room, which would experience a loss of 36.2%.
 - All windows except 9 meet APSH recommendations. For most of these windows the existing scenario values were already very low and many are courtyard facing windows with deep balconies and more loss in sunlight can likely be attributed to the balcony rather than the proposed extension.
- 7.6.14 Crystal Court 1-16 and 17-32
- 44 windows were assessed for VSC and all meet the VSC recommended levels.
 - All 36 rooms assessed met NSL recommendations.
 - In 1-16 Crystal Court all but 3 windows met the APSH recommendations. Of the three that didn't, two of these in the existing scenario are significantly below the target figure

of 25% for the year (4.6 and 8.8%) so the relative drop is not expected to be noticeably different. The third only marginally falls below the recommended figure in the proposed scenario (24%) for the year.

- In 17-32 Crystal Court, 19 of 36 windows met the recommended levels for both year and winter sunlight, a further 15 windows met the yearly target only. Two rooms which met neither target achieved yearly scores of 21 and 24.3%.

7.6.15 Imperial Wharf (1), Imperial Wharf (2) and London Wharf (within London Borough of Tower Hamlets)

- 90 windows were assessed for VSC and all windows meet the VSC recommended levels.

- All rooms meet the NSL recommendations except for two in imperial wharf (2). One was a reduction of 21.7% (only marginally above the recommended 20%) while the other experienced a loss of 30.2%. Both rooms had windows which met VSC recommendations and are therefore expected to retain adequate access to daylight.

- These properties do not have south facing windows and were therefore not assessed for APSH.

7.6.16 Overall, the existing residential units within the vicinity of the site will continue to receive acceptable levels of daylight and sunlight in relation to their existing situation with the exception of 1 unit, the bedrooms of which would be impacted. While it is noted that there are shortfalls in sunlight received to residents of Crystal Court, the low levels of sunlight this neighbouring development already receives means the difference will not likely be perceivable to existing residents. On balance, the neighbouring sites retain a good level of amenity.

Privacy and overlooking

7.6.17 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.

Northside Studios

7.6.18 The new units are largely located on the roof of the existing building so there are limited opportunities for overlooking. Balconies at fourth and fifth levels have been set back from the balconies below to reduce overlooking of existing terraces and balconies.

7.6.19 An objector noted the presence of Juliet balconies which could contribute to the perception of overlooking as compared to windows. Whilst the difference between Juliet balconies and windows may be negligible, the previous proposed Juliet balconies have been removed and replaced with half-fixed, half opening windows to address concerns of overlooking of existing second floor terraces.

Crystal Court

7.6.20 The new units are located to the west of habitable rooms in Crystal Court. However, due to the separation distance between habitable room windows (at least 20 metres) and the oblique angles, these residents are not expected to experience an undue level of overlooking and privacy levels will be maintained.

Other issues

7.6.21 An objector commented on the potential for the new access stair to cause security risk.

However, as the staircase is located behind the external gated entrance which has fob access, only the residents and employees of the site would have rear access and therefore security risk is considered low.

- 7.6.22 There were objections in relation to soundproofing between the new and existing floors. Building regulations will ensure that adequate soundproofing is required between the ceiling of the top floor and the new floor above. Noise related to the staircase and front door are considered to be low, given the residential nature of the proposal. The access stair is only between ground and first floors and so will likely only be used by a small number of employees. The risk of transmission is considered acceptable.
- 7.6.23 As with the soundproofing outlined above, other issues with suitability of existing services to be able to cope with the increased units and the ability of the building to hold two more floors will be assessed under Building Regulations.

London, Imperial and Alexandra wharves

- 7.6.21 There are residential units located at London, Imperial and Alexandra wharves on the southern side of the canal in London Borough of Tower Hamlets. The separation distance of approximately 38 metres is considered sufficient to ensure there wouldn't be an unacceptable level of overlooking and residents of these units would not experience a loss of privacy.

7.7 Quality of accommodation

- 7.7.1 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 (2016) policy 3.5 and the requirements of the Technical Housing Standards - nationally described space standards (2015).

Access

- 7.7.2 The existing commercial and residential units are largely accessed through the undercroft car park to stairs and a lift located in the north-east corner of the site. All new units will be accessed in the same way, with the existing stair and lift core extended to fourth and fifth floors.
- 7.7.3 Although this is not the ideal access arrangement, the low number of vehicle movements (due to only two car parking spaces) and high number of pedestrian movements currently mean this is unlikely to cause any conflicts between vehicles and pedestrians. Refuse and recycling bins have been restricted to one side of the undercroft to ensure a more pleasant environment for residents. Details of refuse stores are also being sought by condition (as mentioned in the waste section below) to ensure the waste is kept in physical separated structures.

Flat layouts

- 7.7.4 All seven units meet the minimum floor areas set out in the policies above. Of these seven, four units are significantly larger than the minimum standard. All bedrooms are also in accordance with the required floor areas and minimum widths. It is noted that some bedrooms have been shown with double beds however due to their size have been assessed as single rooms, this has been taken into account in the assessment of the unit sizes. The units will have floor to ceiling heights of at least 2.5m. The number of bathrooms to rooms is considered acceptable.

- 7.7.5 Six of seven units are dual aspect and have predominantly west facing aspects over the canal. Flat 6N on the fifth floor is predominantly single aspect. Windows have not been provided facing east for privacy reasons. However the door is north facing and external and could be used for ventilation. All habitable rooms have windows offering acceptable levels of outlook.

Daylight and sunlight

- 7.7.6 London Plan (2016) policy 3.5 requires residential units to provide a good standard of internal amenity with appropriate levels of light.
- 7.7.7 The applicant has submitted *Interior Daylight Analysis* (prepared by Eight associates, v5, dated 08/07/2020) which assesses the levels of daylight within the proposed residential development using Average Daylight Factor (ADF) and No-sky line assessments. BRE guidance states that a kitchen should achieve an ADF of 2%, a living room 1.5% and bedrooms 1.0%. Where a room serves multiple purposes; i.e. a living, kitchen and dining room, the minimum ADF should be the highest standard (2%). All proposed habitable rooms meet the figures outlined above.
- 7.7.8 All rooms were also assessed for their compliance with the no-sky line test which says that More than 80% of the working plane is recommended to receive direct light from the sky. All habitable rooms in the development were assessed. All but two of the proposed habitable rooms achieve at least 80%. Two rooms fall marginally below 80% NSL by 0.7% and 1.4% and are therefore unlikely to have unacceptable daylight levels.

Privacy

- 7.7.9 There are limited opportunities for overlooking between proposed units given the design of the development.
- 7.7.10 Due to the constraints of the site and the reductions in the scale of the extensions made during the course of the application, two of the bedrooms are located to the rear of the building adjacent to the rear accessways. Although this is common in the existing building, the rear overhanging walkways were not considered an appropriate design solution for the new development. The two bedrooms which would sit adjacent to the walkways have been set back from the walkways with buffer planting to stop people from being able to walk past bedroom windows. Screening will be used on these windows which allows views out but which appears as a mirror to people using the walkway. This offers privacy to the future residents of these units. Details of which will be secured by condition.

Accessibility

- 7.7.11 London Plan (2016) policy 7.2 seeks 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. This policy is supported by policy LP1 of LP33 (2020) which
- 7.7.12 The agent has confirmed that all units meet M4(2) standards. Due to the scale of the scheme, it was not considered necessary to require one unit to be provided to the M4

(3) standard. The proposed development therefore accords with the accessibility requirements of London Plan policy 7.2 and policy LP1 of LP33.

Private amenity space

- 7.7.13 The Housing SPG sets out that new residential units should have access to private external amenity space. The standards are for 5 square metres for the first 1 to 2 occupants, and an additional square metre per additional occupant. Balconies should have at least one metre deep.
- 7.7.14 All units have access to private balconies which are west facing, overlooking the canal. One unit also has a small terrace facing east. The size of the terraces of all but one unit far exceeds the required external space with many units having two separate terraces. One of the units has a small shortfall of 0.5 metres. However, as this unit provides 13 square metres of internal floorspace above what is required, and given the constraints of the proposal, it is considered to overall provide a good quality of accommodation in terms of the provision of amenity space.

7.8 Transport

- 7.8.1 The site is located on Andrews Road. It has very good access to public transport (PTAL 5) with bus routes along Andrews Road and Mare St and within walking distance of Cambridge Heath and London Fields London overground stations. The site is also located near Santander Cycles docking stations located at the southern end of Broadway Market and Ada Street.

Car parking

- 7.8.2 The site has two existing car parking spaces within the undercroft car park, which are used by ground floor commercial units. These will be retained within the development with no additional car parking be provided. The site is located within a controlled parking zone. The council requires that new developments be car free, so the developers will be required to enter into a legal agreement which will ensure future residents are unable to obtain parking permits.

Cycle parking

- 7.8.3 Hackney Council's cycle parking standards for residential developments require the provision of 2 cycle spaces per 3 bedspaces for residents and one cycle parking space per 10 bedspaces for visitors. The Council's cycle parking standards for B1 developments require the provision of 1 cycle space per 50m² floorspace for employees and 1 cycle parking space per 500m² floorspace for visitors.
- 7.8.4 The existing development includes 10 two-bedroom flats and 984m² of B1 office floorspace. The existing and proposed residential units will provide 34 bedspaces in total. 47 cycle spaces are proposed for the employees, residents and visitors of the development. This cycle parking provision satisfies the Council's cycle parking standards for number of spaces.
- 7.8.5 The proposed cycle parking is located to the rear of the ground floor behind the entrances to the ground floor units. The proposed stands for 10 of the bikes appear to be vertical, wall hung stands which are not the preferred type of stand. Details of cycle parking will be required by condition which sets out a policy compliant for layout including stand type and spacing.

Deliveries and servicing

- 7.8.6 The application was supported by a swept path analysis to indicate that the ground floor car parks could still be used with the proposed bin store. This plan shows estate cars 4.8 metres long, entering the parking area from Andrews Road, reversing within this area and exiting the parking area in a forward gear. The swept path assessment also indicates that an estate car can enter/exit the parking area while a second estate car is parked. The swept path assessment indicates that the existing parking area can accommodate the movements of estate cars and these cars can enter and exit Andrews Road in a forward gear.
- 7.8.7 Deliveries and servicing would be carried out from the street as it occurs with the existing development. It is considered that the number of trips that would be generated by the proposed development can be accommodated by the existing transport facilities.

Highway Contributions

- 7.8.8 The developer will be required to contribute towards the maintenance of the footway/carriageway in the vicinity of the site after construction. A financial contribution will be sought through the legal agreement.

Construction Management Plan (CMP)

- 7.8.9 The developer has submitted a draft *Construction management plan* (prepared by Alium Group dated 13/08/2020) which has been reviewed by the Council's transport officer. Amendments have been made to the plan to ensure that development will not affect highway operations. A final CMP will be sought by condition to ensure the development is undertaken to mitigate the negative impact on the surrounding highway network and minimise disturbance for existing residents. A monitoring fee of £8,750 will also be required by the developer and this is secured within the proposed legal agreement outlined below in Recommendation B.

7.9 Waste management

- 7.9.1 Policy 5.17E of the London Plan (2016) requires that all developments provide suitable waste and recycling storage facilities. LP33 policy LP57 seeks to ensure new development in Hackney supports the objective of sustainable waste management.
- 7.9.2 The development requires 2,100L capacity for the existing and proposed residential units and 2,200L capacity for the commercial units. The existing recycling facilities provide 6 x 1100 L refuse and recycling bins and one 140L food waste bin. The existing refuse store provides sufficient capacity for the existing and proposed units. In order to ensure that the new residential units can make use of the refuse and recycling storage, details of separation of the refuse streams will be required by condition.
- 7.9.3 The Council's waste officer has reviewed the plans and has confirmed the required waste capacity and the need to separate residential and commercial waste streams.

7.10 Energy and sustainability

- 7.10.1 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.
- 7.10.2 Policy 5.5 of the London Plan (2016) and policy LP55 of LP33 require 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.

- 7.10.3 The application was supported by Energy and Sustainability Statement (prepared by eb7 dated 3 July 2020). The proposed scheme seeks to achieve a 48% overall improvement in regulated emissions over the Part L 2013 standard and a reduction in overall emissions of 35% when taking into account unregulated energy use, through the adoption of high standards of insulation and efficient heat pump driven heating and hot water systems. The reduction in regulated emissions achieved through the use of renewable and energy generating technologies is over 46%.
- 7.10.4 The Council's sustainability officer has reviewed the submitted energy statement. There is some concern about the possibility of overheating due to the living rooms and bedrooms facing west with large windows and no shading. While natural ventilation and openable windows are good strategies to mitigate overheating, other passive solutions, like shading devices or lower window g-values (currently assuming 0.63 retrieved from the SAP assessment) should be further explored to prevent the need for an active cooling system, reducing the carbon performance of the proposal and to make the dwelling more resilient to climate change.
- 7.10.5 A condition requiring a risk assessment will be included with the consent which will require mitigation measures to be approved by the council should overheating be found. A condition to test air permeability will also be included.
- 7.10.6 There is a carbon shortfall of 4.51 tonnes of CO₂ which needs to be offset by a cash-in-lieu contribution. In accordance with the Planning Contributions SPD (2020) 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 £12,853.50 is required to ensure the development is in accordance with this policy and will be sought through the legal agreement.

7.11 Biodiversity, trees and open space

- 7.11.1 Policy 5.11 of the London Plan (2016) and LP46 of LP33 (2020) requires that all development should enhance the network of green infrastructure and seek to improve access to open space. Moreover, policy LP46(F) of LP33 (2020) encourages such developments to include green roofing.
- 7.11.2 Policy LP47 of the LP33 (2020) requires that all development should protect and where possible engage biodiversity. It states all development schemes involving buildings with an eaves height of 5 metres or more are required to provide nesting boxes for swifts, sparrows, starlings and/or bats as appropriate to help preserve endangered urban biodiversity. It also states new development adjacent to sites of importance for nature conservation (SINCs) must not have a detrimental impact upon biodiversity.
- 7.11.3 LP49 of LP33 (2020) states that all new development adjacent to green corridors must be developed in a way that contributes towards the green infrastructure network. Green corridors are relatively continuous areas of open space which may allow animals and plants to be found further into the built-up area than would otherwise be the case and provide an extension to the habitats of the sites they join.
- 7.11.4 Regent's Canal is designated a metropolitan grade SINC and a green corridor. The proposed development will have a green roof in accordance with policy LP46. This green roof will be required to be biodiverse, which means it is capable of supporting both plant and animal species. Details of the green roof will be required by condition.

- 7.11.5 In line with policy LP47 the development will be required to provide nesting bricks for bats or birds. Details of which will be reserved by condition.
- 7.11.6 There are limited other opportunities to incorporate biodiversity measures into the development as it is located at rooftop only. However, the green roof and bird or bat boxes are considered sufficient to provide habitat for any insects and birds which may use Regent's Canal.

7.12 Flood risk

- 7.12.1 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.
- 7.12.2 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.'
- 7.12.3 The policy further states that all development should decrease vulnerability to flooding through appropriate siting, design and on-, and off-site mitigation.
- 7.12.4 As outlined above, the development proposes a green roof. In addition to its biodiversity benefits, it will help address issues related to drainage and localised flooding. Details of the green roof including its management will be required by condition. Due to the nature of the development, being located at roof top level, this is sufficient mitigation for flooding effects. The development is therefore in accordance with the policies outlined above.

7.13 Pollution

Air quality

- 7.13.1 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 *Air Quality Assessment* (prepared by Redmore environmental dated 3 September 2020). This concluded that effects related to construction and operation phases of development are not expected to be significant due to the scale and nature of the proposals. Mitigation measures have been suggested to ensure that air quality standards throughout the demolition and construction phase of the proposed development are appropriately managed. These have been fed into the construction management plan where necessary to protect residents from any air quality issues and will be secured as part of the CMP condition.

Noise

- 7.13.2 London Plan policy 7.15 seeks to manage the amount of noise arising to and from a development, in line with surrounding environs. LP58 states that development will only be permitted where it can be demonstrated that noise generated by the development will be effectively mitigated to prevent adverse impacts on health and quality of life.
- 7.13.3 The applicant has submitted *Noise Impact Assessment* (prepared by ALN acoustic design dated 25 March 2020). The Council's pollution noise team has reviewed the proposal and has raised no objection. Conditions relating to internal ambient noise within the proposed residential units and an assessment of expected noise levels arising from noise associated with plant/equipment will be included.
- 7.13.4 An objector raised a concern about noise related to the external staircase. It is considered given that it only serves first and ground floors and is located to the opposite

end of the main staircase its use is likely to be low. It is therefore unlikely to cause noise disturbance issues.

- 7.13.5 The CMP required by condition will also safeguard against noise impacts during the construction phase. A considerate contractor's clause is included within the legal agreement to further protect adjoining residents.
- 7.13.6 Subject to the above conditions, the development is deemed to accord with London Plan policy 7.15 and LP33 (2020) policy LP58.

7.14 Community Infrastructure Levy

- 7.14.1 The development is liable for the Mayor of London's Community Infrastructure Levy (CIL) which is payable upon commencement of development. The levy rate for Hackney is £60 for each additional square metre.
- 7.14.2 The scheme will also be liable for the Hackney CIL. For this development the charge would be £190 per m² of residential (use class C3) use.
- 7.14.3 The scheme proposes an additional 563 metres of floorspace. Therefore the development will be liable for payments of:
Mayoral CIL: 563 x £60 = £33,780
Hackney CIL: 563 x £190 = £106,970

8. CONCLUSION

- 8.1 The proposed scheme seeks to add two additional floors of residential units at roof level on to Northside Studios, an existing four storey mixed use building.
- 8.2 The development will provide seven additional residential units which are of a good quality, meeting internal and external space standards with good levels of light and outlook.
- 8.3 While it is noted that there will be noticeable reductions in light to the bedrooms of one existing unit, it is considered that on balance the development provides planning benefits in the form of seven additional residential units and an affordable housing payment which outweigh the harm caused.
- 8.4 Overall, the proposal complies with the relevant policies in Hackney Local Plan 2033 (2020) and the London Plan (2016), and the granting of planning permission is recommended subject to conditions and the completion of the legal agreement to secure the obligations identified within this report.

9. RECOMMENDATIONS

Recommendation A

- 9.1 That planning permission be GRANTED, subject to the following conditions:
 - 9.1.1 **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).

9.1.2 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.

9.1.3 Details to be approved

Full details (manufacturer's details and samples if appropriate) of all external materials and balustrades 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.

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

9.1.4 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.

9.1.5 Details of screening

Prior to occupation of the development, details of the proposed screening including within the window and buffer planting to be used on the bedrooms of units 2N and 3N must be submitted to, and approved in writing by, the Local Planning Authority. The details must be implemented and retained hereafter in accordance with the details thus approved.

REASON: To ensure the privacy of occupiers of these units.

9.1.6 Planters

Prior to commencement of the terraces, details of the planter boxes to be installed on the fourth floor balconies will be submitted for approval in writing by the Local Planning Authority. Details should address the range of native plants to be used. The planter boxes shall be maintained in place hereafter for the life of the development.

REASON: To provide greening to the frontage in the interests of design and biodiversity

9.1.7 Construction Management Plan

No development shall take place until a detailed 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 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 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.

9.1.8 **Biodiverse 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 layout, full specifications and a detailed management and maintenance plan of the biodiverse roof with a substrate depth of between 80 and 150mm, not including the vegetative mat. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the new 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.

9.1.9 **Biodiversity boxes**

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 installed prior to occupation of the building and retained thereafter in perpetuity.

REASON: To enhance the ecology of the development and provide potential habitat for local wildlife.

9.1.10 **Cycle Parking**

Notwithstanding the details shown on the approved plans, prior to the occupation of development, a cycle parking plan is required, which shows details of layout, foundation, stand type and spacing, of the 47 cycle parking spaces. A minimum of 5% 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.

9.1.11 **Waste**

Prior to the occupation of the development, details of the waste storage facilities, showing separate storage for residential and commercial uses, shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be constructed and shall be maintained as such, for the lifetime of the development.

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

9.1.12 Low NOx boilers

All non-CHP space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers installed as part of the development must achieve dry NOx emission levels equivalent to or less than 30 mg/kWh.

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

9.1.13 Air permeability

Prior to occupation of the development hereby approved, a full air permeability test report confirming the development has achieved a maximum air permeability of 5 m³/hr/m² at 50pa shall be submitted to and approved in writing by the Local Planning Authority.

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

9.1.14 Overheating

Prior to the commencement, an assessment of the risk of overheating should be undertaken with dynamic simulation, based on CIBSE TM59:2017 and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. If overheating is present in the assessment, strategies should be proposed to mitigate overheating, the assessment shall be submitted to and approved in writing by the Local Planning Authority, the development shall be constructed and retained in accordance with the approved details.

REASON: To mitigate the risk of overheating with passive strategies avoiding reliance on active cooling systems.

Recommendation B

9.2 That the above recommendation be subject to the landowners and their mortgagees entering into a legal agreement in order to secure the following matters to the satisfaction of the Director of Legal and Governance Services:

- 1) Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.
- 2) A contribution of £8,750 towards Construction Logistics and Community Safety (CLOCS) and Construction Management Plan (CMP) monitoring is sought.
- 3) A section 278 contribution towards highways work
- 4) 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.

5) Carbon offset contribution of £12,853.50

6) Affordable housing contribution of £175,000.

7) Monitoring costs in accordance with the Planning Contributions SPD to be paid prior to completion of the proposed legal agreement.

8) Payment by the landowner/developer of all the Council’s legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed legal agreement.

Recommendation C

9.3 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 Development Management & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions or recommended heads of term for the legal agreement as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

10.0 INFORMATIVES

10.1 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

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

ALED RICHARDS – DIRECTOR – PUBLIC REALM, NEIGHBOURHOODS AND HOUSING

NO.	SUBMISSION DOCUMENTS, POLICY/GUIDANCE/ BACKGROUND PAPERS	LOCATION	CONTACT
1.	Application documents and LBH policies/guidance	2 Hillman Street London E8 1FB	Louise Prew x8613

	<p>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>All documents that are material to the preparation of this report are referenced in the report</p>		
--	--	--	--