



Planning Sub-Committee – 06/12/2021

ADDRESS: 144 - 164 Homerton High Street, Bison House and 7 Sedgwick Street, 84-90 Digby Road, London, E9 6JA	
WARD: Homerton	REPORT AUTHOR: Steve Fraser-Lim / Nick Bovaird
APPLICATION NUMBER: 2020/1461	VALID DATE: 26/05/2020
DRAWING NUMBERS:	
<u>Existing drawings</u>	
2294-00-DR-0001	P01; 2294-00-DR-0102 P02;
2294-00-DR-0103	P01; 2294-00-DR-0650 P02;
2294-00-DR-0651 P02; 2294-00-DR-0652 P02;	
<u>Proposed plans</u>	
2294-00-DR-0101	RevP03; 2294-00-DR-0108 RevP04;
2294-00-DR-0109	RevP05; 2294-00-DR-0110 RevP05;
2294-00-DR-0111	RevP04; 2294-00-DR-0112 RevP04;
2294-00-DR-0113	RevP04; 2294-00-DR-0114 RevP04;
2294-00-DR-0115	RevP04; 2294-00-DR-0116 RevP04;
2294-00-DR-0117	RevP04; 2294-00-DR-0118 RevP04;
2294-00-DR-0119	RevP04; 2294-00-DR-0120 RevP04;
2294-00-DR-0121	RevP04; 2294-00-DR-0122 RevP04;
2294-00-DR-0123	RevP04; 2294-00-DR-0124 RevP04;
2294-00-DR-0125	RevP05; 2294-00-DR-0126 RevP05;
2294-00-DR-0127 RevP05	
<u>2294-00DR-0129 Rev P01 (Affordable Workspace Plan)</u>	
<u>Proposed elevations</u>	
2294-00-DR-0600	RevP03; 2294-00-DR-0601 RevP02;
2294-00-DR-0602	RevP02; 2294-00-DR-0603 RevP02;
2294-00-DR-0604	RevP02; 2294-00-DR-0605 RevP03;
2294-00-DR-0606	RevP03; 2294-00-DR-0607 RevP02;
2294-00-DR-0608 RevP03;	
<u>Proposed sections</u>	
2294-00-DR-0400	RevP03; 2294-00-DR-0401 RevP03;
2294-00-DR-0402	RevP03; 2294-00-DR-0403 RevP03;
2294-00-DR-0404	RevP03; 2294-00-DR-0405 RevP03;
2294-00-DR-0406 RevP03;	
<u>Supporting documents</u>	
Design and Access Statement Addendum by CZWG dated August 2021; Planning Statement Addendum by DP9 dated August 2021; Agent of Change Assessment by Stantec dated April 2020 (ref: 47249); Air Quality Assessment by Stantec dated April 2020 (ref: 47249/1002/RevD1); Archaeological Desk Based Assessment by Orion dated March 2020 (ref:	



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<p>PN2357/2); Outline Construction Management and Logistics Plan by Murphy dated March 2020 (JMS-ZZ-XX-FM-Z-0793-Rev00); Design and Access Statement by CZWG dated 9th April 2020; Daylight Sunlight and Overshadowing Report by Point2 dated April 2020 (ref: P1772V1); Ecological Assessment Report by Stantec dated April 2020 (ref: ECO/001); Energy Assessment by Stantec dated April 2020 (ref: 47249/2501); Flood Risk Assessment and Drainage Management Strategy by Stantec April 2020 (ref: 47249); Ground Contamination Assessment by Stantec dated March 2020 (ref: 47249/3501/R001/rev1); Rapid Health Impact Assessment by Stantec (Ref: 47249, Draft02); Viability Study by Turner Morum dated April 2020; Noise Impact Assessment by Stantec dated April 2020 (ref: 47249/1001); Overheating Risk Analysis by Stantec dated 17th April 2020 (ref: 47249/2501); Planning Statement by DP9 dated April 2020; Statement of Community Involvement by Icenidated March 2020; Socio Economic Assessment by Stantec dated April 2020 (ref: 47249/001, Rev: 01); Sustainability Statement by Stantec dated April 2020 (ref: 47249/V1); Transport Assessment by Stantec dated April 2020 (ref: 47249/5501, TA001); Built Heritage, Townscape and Visual Impact Assessment by Montagu Evans dated April 2020; Pedestrian Microclimate Study by Windtech dated 29 June 2021 (ref: WF099-01F02 (Rev6))</p>	
<p>APPLICANT: Nudo Properties Ltd</p>	<p>AGENT: Mr James Armitage Hobbs, DP9</p>
<p>PROPOSAL: Demolition and redevelopment of the site for a mixed-use development comprising buildings ranging in height from 4 to 17 stories containing 245 residential units (Class C3, reduced from 264), 4,489m2 of commercial floorspace (reduced from 4,532m2) including 402m2 A1 & 327 m2 of A3/A4/A5 uses, including vehicle access from Sedgwick Street and Digby Road into basement service area, roof terrace external amenity spaces, publicly accessible open space and landscaping, plant and all other associated works.</p>	
<p>POST SUBMISSION REVISIONS: Revisions include: reductions in scale and massing to some buildings; reduction in amount of residential and commercial floorspace; changes to elevation appearance of some buildings, including architectural approach, materials, and design of ground floor frontages to commercial units; change to plan layouts, including residential and commercial unit layouts and simplified ground floor residential entrances; change to design of proposed central courtyard; proposed canopy at the entrance to building A adjacent to Sedgwick Street; introduction of 4 on site disabled car parking spaces; increase in proportion of affordable housing. 21 day re-consultation on this information has been carried out (see consultation section).</p>	



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RECOMMENDATION SUMMARY:

Grant conditional planning permission, subject to completion of a Legal Agreement and stage II approval from the GLA.

NOTE TO MEMBERS: This application is referred to members as it is a major application.

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	Yes	-
Conservation Area	-	No
Listed Building (Statutory)	-	No, but adjacent to 140-142 Homerton High Street, and in proximity to 168-170 Homerton High Street, St Barnabas Vicarage, Homerton War Memorial, Church of St Barnabas, which are all grade II listed.
Listed Building (Local)	-	No, but in proximity to 71 Digby Road, 109 Homerton High Street, which are all locally listed.
Priority Office (POA) / Industrial Area (PIA)	Yes (PIA)	-

LAND USE DETAILS:	Use Class	Use Description	Floorspace (m2 GIA)
Existing	F1(f)	Place of worship	1208
	E(g)	Warehouse / light industrial	4806
	E(b)	Cafe	141
		Total	6155
Proposed	E(g)	Office / light industrial	3769
	E(a)(b)	Cafe / restaurant / retail	327
	E(a)	Retail	402
	C3	Residential	15572
		Total	20070

PROPOSED RESIDENTIAL MIX TABLE

PROPOSED RESIDENTIAL UNIT MIX BY TENURE	NO OF UNITS	TENURE	RESIDENTIAL MIX WITHIN TENURE GROUP
Private			
Studio	8		4%

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1 bed	75	75%	41%
2 bed	99		54%
3 bed	1		0%
Total	183		
Intermediate (Shared Ownership)			
1 bed	11	11%	39%
2 bed	17		61%
3 bed	0		0%
Total	28		
Affordable Rent			
1 bed	8	14%	24%
2 bed	15		44%
3 bed	11		32%
Total	34		

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	10 (4 on site and 6 on adjacent streets)	562 residential long stay; 114 Commercial long stay; 62 short stay)

1. SITE CONTEXT

- 1.1 The site comprises a series of industrial buildings 1-3 stories in height with associated yards situated on the west side of Sedgwick Street and the east side of Digby Road. Existing buildings on site accommodate predominantly car repair businesses but also some storage and distribution uses and a place of worship. The site is within a Priority Industrial Area, which previously contained industrial buildings of utilitarian appearance dating from the 19th and 20th Century. However there has been a number of more recent mixed use developments in the surrounding area.
- 1.2 A recent part 6, part 12 storey mixed-use development on the opposite side of Sedgwick Street to the east comprises industrial uses on lower levels, with residential units on upper floors, with residential units also in a tower element closest to Homerton Station. Nos 168-174 Homerton High Street is also situated on the opposite side of the Sedgwick Street to the east facing Homerton High Street, comprising a terrace of buildings dating from the Victorian / Georgian period, and predominantly in residential use (no.170 is listed at grade II).

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- 1.3 A 6-storey development fronting Digby Road comprising office floorspace and a gym at ground floor level and residential floorspace above adjoins the site to the south and west. London Overground embankment and an underpass to Homerton station adjoins the site to the south.
- 1.4 Homerton High Street adjoins the site to the north. A fire station and 5-storey blocks of flats are situated on the opposite side of the street to the north. St Barnabas Church and vicarage (Grade II listed) and St Barnabas Hall (locally listed) are situated on the opposite side of Homerton High Street to the northeast. Nos.140-142 Homerton high Street adjoins part of the site to the north and is a grade II listed basement and 3-storey Georgian terrace in residential use. In addition the site is in proximity to 71 Digby Road, 109 Homerton High Street, which are all locally listed.
- 1.5 The site is also subject to the following designations: Critical Drainage Area; Area exempt from office to residential conversion; within the City Fringe Opportunity Area Planning Framework (OAPF); Homerton High Street is a red route; Sedgwick Street and Digby Road are subject to a Controlled Parking Zone designation; site within an area with a PTAL rating of 5; The whole of the borough of Hackney is within an Air Quality Management Area (AQMA).

2. CONSERVATION IMPLICATIONS

- 2.1 The site is not within a conservation area but is adjacent to 140-142 Homerton High Street, and in proximity to 168-170 Homerton High Street, St Barnabas Vicarage, Homerton War Memorial, Church of St Barnabas, which are all grade II listed. St Barnabas Church and vicarage (Grade II listed) and St Barnabas Hall (locally listed) are situated on the opposite side of Homerton High Street to the northeast. Nos.140-142 Homerton high Street also adjoins part of the site to the north and is a grade II listed basement and 3-storey Georgian terrace in residential use. In addition the site is in proximity to 71 Digby Road, 109 Homerton High Street, which are all locally listed.

3. RELEVANT HISTORY

Application site:

144 - 164 Homerton High Street, Bison House and 7 Sedgwick Street, 84-90 Digby Road

- 3.1 Screening opinion issued in February 2020 stating that no Environmental Statement is required for “redevelopment of 144-164 Homerton High Street to provide up to 290 residential units (Class C3), 4,500 m2 of commercial and industrial space, along with associated public realm and infrastructure. Buildings currently present on site will be demolished as part of the proposed development. It is anticipated that non-residential uses and services will be located at basement and ground level, with residential apartments situated above. A mix of building heights will be provided across the site, with taller elements situated in the south east corner towards the London overground railway line and Homerton train station (up to 19 storeys)”(ref: 2019/4460).

21-23 Sedgwick Street (within application site)

- 3.2 Planning permission granted in January 2009 for use for the purposes of live performances, music tuition, theatre, cinema, music museum, computer



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classes, broadcasting, sale of alcohol, place of worship, music, dance, sound engineering and indoor sports (sui generis) Ref: 2008/2048)

150-160 Homerton High Street (within application site)

- 3.3 Planning permission refused in July 2008 for change of use of property from B1/B2 to a private function venue (D2)/ assembly room (with ancillary office) (ref: 2007/3030). Reasons for refusal related to: loss of employment floorspace; and noise and disturbance from late opening.
- 3.4 Planning permission refused in January 2009 for change of use of property from B1/B2 use to a mix of uses including a private function venue/assembly room (D2 use) with dance/live music facilities, a nightclub (sui generis) and a place of worship (D1 use) (ref: 2008/2504). Reasons for refusal related to: loss of employment floorspace; and noise and disturbance from late opening and the absence of a noise report.
- 3.5 Planning permission refused in August 2010 for Change of use of ground floor from B1/B2 use to a Bar (Class A4) with opening hours from 11:00 to 00:00 (midnight) Monday to Friday and 12:00 to 04:00 on Saturday and a weekly place of worship (Class D1) (ref: 2010/0091). Reasons for refusal related to: loss of employment floorspace; and noise and disturbance from late opening and amplified music, and concerns with regard to car parking pressure on surrounding streets.

Other sites adjacent to the application site: 170-174 Homerton High Street

- 3.6 Planning permission granted in October 2012 for change of use from commercial to residential use including: Creation of 9no. self-contained dwellings to nos. 170-174 and refurbishment of existing 1no. A1 retail unit of no. 174; Demolition of the existing single-storey ground floor commercial units fronting nos.170-172 to restore the residential frontage; Excavation and creation of a lightwell to the basement of no. 170; Insertion of a mezzanine level of no. 174 (ref: 2012/0256)

2-46 Sedgwick Street (situated on the opposite side of Sedgwick Street to the east)

- 3.7 Planning permission granted in November 2005 for erection of part 6, part 12 storey building to provide 1188sqm of B1 (Business) floorspace at ground and mezzanine floor level with 55 residential units above, comprising 22 x 1 bedroom, 18 x 2 bedroom, 13 x 3 bedroom and 2 x 4 bedroom units together with the provision of 2 car parking spaces and 2 loading bays. Demolition of existing buildings on site (2004/1668).

15 Berger Road (Situated on opposite side of railway line to the south, now known as Archer Tower):

- 3.8 Planning permission granted in 2008 for clearance of the site and the construction of a part 5, part 14 storey building for a mixed use development to provide 83 square metres of A1, A2, B1 and/or D1 use and 97 affordable residential units with associated car parking, refuse and landscaping (ref: 2008/2011).

68-82 Digby Road (Adjoins application site to the south and west)

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- 3.9 Planning permission granted in September 2012 for erection of six storey building to provide Class B1 floorspace at ground floor level, 49 residential units on ground to fifth floor levels, 2 disabled car spaces, 86 cycle spaces and associated refuse/recycling stores and landscaping (ref: 2012/1781).

4. CONSULTATIONS

- 4.1 The first statutory consultation period for the application started on 28/05/2020 and ended on 25/06/2020. This included neighbour letters sent to 384 neighbouring properties and both site and press notices. A further consultation period was undertaken on receipt of revisions to the application. This started on 27/08/2021 and ended on 01/10/2021. This included letters sent to 384 neighbouring properties and display of site and press notices.
- 4.2 A total of 75 responses from members of the public were received in response to the first round of consultation and 10 responses to the second round of consultation, and a petition with 258 signatures raising objections to the proposals which are summarised below:

Amenity

- Loss of daylight to Sedgwick Street, Mackintosh Lane, Homerton High Street and Digby Road
- Daylight impacts for 14-16 Sedgwick Street have not been assessed
- The daylight / sunlight impacts upon 14-16 Sedgwick Street in terms of Vertical Sky Component (VSC), Annual Probable Sunlight Hours (APSH) are identified as being very significant.
- Proposals would result in a loss of amenity, daylight, privacy and blight to surrounding buildings
- Noise and dust pollution will be caused during the construction period.
- Proposals will overshadow surrounding buildings.
- Overlooking would result across Sedgwick Street due to its narrow width.
- The Coronavirus pandemic has demonstrated the importance of access to outdoor space. The proposals are too cramped in relation to this issue.

Design

- The scale of the tower is completely inappropriate
- Insufficient verified views are provided
- The proposals are not within a designated zone for tall buildings in the Hackney Tall Building Study
- The proposals are too dense and big for the site.
- Buildings in Hackney should not be more than 5 stories in scale and the proposals are three times larger than this.
- Sedgwick Street and Mackintosh Lane are narrow streets and the scale of the proposed buildings will enclose this space creating a dark, windy and overbearing environment
- The pedestrian route through the courtyard is of poor quality and unnecessary
- The courtyard is dark and unactivated.
- The proposed architecture is the same as other proposed developments with no originality or personality
- The flat layouts are poorly designed, with a high number of single aspect units, and create dark and unpleasant spaces. proposed internal corner units would have very poor daylight.
- The tower is poorly located and should be on the Digby Road side of the site, where it will result in less daylight impact.

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- The proposals would have an adverse impact upon artist studios opposite the site

Land uses

- There is only 10% affordable housing which is insufficient to meet affordable housing policies
- Industrial jobs will be lost as a result of the redevelopment
- The existing garages and church add to the community feel and should be retained.
- Proposals would result in a loss of community space such as the Eko restaurant and a church.

Transport

- Parking in Sedgwick Street is very limited and it will not be possible to park there after the development
- Proposals will add to parking stress in the surrounding area.
- Proposals to increase in residential unit numbers will overwhelm Homerton Overground Station.

Other issues

- The proposed density of development cannot be supported by local services and public transport infrastructure
- The submitted plans and information are inconsistent
- Environmental Impact Assessment of the proposals should have been undertaken.
- The development is designed not in the interests of Homerton, but financial interests of the developer.
- Insufficient information to demonstrate what sustainability standards the proposals will meet.
- The existing parks and towpaths near the site are already busy and the proposals will increase pressure on these spaces.
- The open space in the site may not be publicly accessible.
- Impact upon 3 mature plane trees in Sedgwick Street has not been assessed.
- Proposal would result in harm to prices of surrounding properties.
- Construction of the proposal would result in significant atmospheric pollution, and will impact on homeworkers.

- 4.3 It should be noted that additional information has been submitted in response to comments by Hackney officers as well as consultation responses comprising: Reductions in scale and massing to some buildings; reduction in amount of residential and commercial floorspace; changes to elevation appearance of some buildings, including architectural approach, materials, and design of ground floor frontages to commercial units; change to plan layouts, including residential and commercial unit layouts and simplified ground floor residential entrances; change to design of proposed central courtyard; proposed canopy at the entrance to building A adjacent to Sedgwick Street; introduction of 4 on site disabled car parking spaces; increase in proportion of affordable housing.
- 4.4 Re-consultation on this information has been carried out, and comments received from both rounds of consultation are recorded in this section.

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Statutory Consultees:

Historic England (commented on first round of consultation)

- 4.5 Do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.

Greater London Archaeology Advisory Service (GLAAS) (commented on first and second round of consultation)

- 4.6 The application site lies in the historic linear settlement of Homerton. Homerton's early development is not well understood. It is commonly said to have Saxon roots, developing as a village on the earlier Roman routeway. Certainly there have been Saxon remains found just to the east and west of the application site. Finds of Roman building material however indicate that Homerton, along with the other historic settlement cores in south Hackney, may have been first settled as one of a landscape of Roman villa estates between the Lea and Ermine St. Along with the general palaeolithic potential on the Hackney Gravels and the early industrial past of the site, two aspects that are not extensively covered in the submitted material, I advise a high potential for archaeological remains on the basis of current information. The submitted archaeological desk-based assessment provides some information on the site derived from an out-of-date HER search and historic maps. It does not have information to detail development impacts and does not model the buried sequence to allow for informed recommendations on past disturbance. I am disappointed that no visit to Hackney Archives or walkover site visit had been made. The study appears to be a slight revision to a 2019 assessment by Orian Heritage for an earlier application, which this office recommended predetermination work on because of the limited information provided on archaeological matters. Because of this, I advise the applicant complete these studies to inform the application: An archaeological field evaluation, to inform the desk based assessment.

Thames Water (commented on second round of consultation)

- 4.7 With regard to the combined waste water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided, subject to informatives with regard to proximity to underground water and sewage infrastructure.
- 4.8 With regard to water supply Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such a condition is recommended requiring any upgrades to water infrastructure or a development as required by Thames Water prior to occupation of the development.

Greater London Authority (GLA) (comments in relation to first round of consultation)

- 4.9 Principle of development: Having regard to relevant ItP London Plan Policies including Table 6.2, the borough is required to retain industrial capacity. Therefore, the starting point in relation to SIL and LSIS sites is that any development scheme should seek to deliver at least the same quantum of industrial floorspace as existing. The existing quantum of industrial floorspace is given as 3,268 sq.m. The proposed to provide 4,531 sq.m. of flexible B1c floorspace as part of the proposals. As such the proposals would result in a small increase in industrial floorspace capacity, which is supported in principle.

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- 4.10 However, having regard to the specific space and servicing requirements of industrial uses, it must be clearly demonstrated that the entire workspace element is fully fit for purpose to count toward industrial re-provision in line with Policy E2 Part B of the ItP London Plan. The applicant should clarify what proportion of commercial floorspace falls below the minimum 3.5m floor to ceiling height and whether excluding this floorspace therefore results in any shortfall in industrial re-provision. The inclusion of mezzanine floors should not compromise the use of this space for industrial purposes and their removal should be considered accordingly.
- 4.11 Furthermore, in accordance with Policy E7 Part D as the scheme also involves the provision of new residential floorspace, confirmation that the residential element has been designed in such a way to prevent issues around safety, environment and amenity. This has been dealt with to a certain extent within the applicant's agent of change assessment which has carried out an assessment of the impact of surrounding activities and proposed industrial uses on the proposed residential as a result of noise, vibration, dust and odours. Whilst this goes some way to addressing this policy, it does not consider the potential impact of activities taking place within the proposed industrial units in terms of their potential to generate noise and vibration and/or dust including the impact of servicing activities, which may or may not require 24hr access to the site. As stated above, the separation of servicing activities significantly reduces potential for conflict and is therefore welcomed.
- 4.12 Policy E3 of the ItP London Plan supports the provision of affordable workspace, the specifics of which should be defined in local development plans. The applicant proposes to provide 10% of the proposed workspace as affordable, which complies with Hackney's submission Local Plan Policy LP29. This should be secured within any s106 agreement in line with this policy.
- 4.13 The development site currently accommodates three places of worship. It is understood that only one of which is currently in active use. The other two are vacant. The applicant has indicated that the remaining place of worship intends to vacate their premises shortly.
- 4.14 Places of worship are defined as social infrastructure in the London Plan and ItP London Plan. London Plan Policy 3.16 and ItP London Plan Policy S1 state that the loss of social infrastructure in areas of identified need without a realistic prospect of re provision should be resisted. However, permission may be granted should the loss form part of a wider transformative plan in accordance with Policy S1. Furthermore, in cases where social infrastructure premises may be deemed redundant and a replacement facility is no longer necessary or appropriate, other forms of social infrastructure should be considered for the site or part of the site to help meet other community needs, before alternative uses are pursued.
- 4.15 As stated at pre-application stage, the loss of Class D1 floorspace without re-provision is contrary to London Plan and ItP London Plan Policy. It is acknowledged however, that one or more of these uses may not have the benefit of planning permission but may be lawful by default depending on the length of time they have been in active use as places of worship. Confirmation should be provided in this regard. The applicant should seek to re-provide the

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full quantum of lawful D1 floorspace proposed in accordance with ItP London Plan Policy S1 either on site or in an appropriate location off-site. If the premises are no longer required for this use, this floorspace should be provided as an alternative form of social infrastructure before any alternative use would be considered.

- 4.16 In order to confirm compliance with the relevant London Plan and ItP London Plan Policies, the applicant should provide a thorough assessment of the impacts of the proposals on protected characteristics, particularly arising from the potential loss/ relocation of existing places of worship, as defined within the Equality Act 2010 and the ways in which the applicant has sought to address any potential issues. There is an existing music studio on site. It is understood that this unit is currently vacant and is no longer proposed to be re-provided through the proposals as it was at pre-application stage. This is contrary to ItP London Plan Policy HC5 which seeks to protect existing cultural venues, facilities and uses where appropriate, to be determined at a local level. Hackney's submission Local Plan Policy LP10 also resists the loss of cultural facilities unless it forms part of a scheme which delivers wider planning benefits for the local community. It is not considered that the development currently achieves this aim.
- 4.17 The application currently proposes 21% affordable housing by habitable room with a 59:41 split between LAR and shared ownership and therefore must follow the 'viability tested route'. An initial review of the applicant's viability assessment has been undertaken by GLA officers. Currently there are a substantial number of matters outstanding which would need to be resolved before it can be confirmed whether the offer represents the maximum reasonable.
- 4.18 The applicant should explore the use of grant to maximise affordable housing delivery. Evidence of these discussions should be supplied prior to Stage 2. Both early and late stage viability reviews would need to be secured in any s106 agreement in accordance with ItP London Plan Policy H5 and the Mayor's Affordable Housing and Viability Assessment SPG.
- 4.19 Playspace The applicant has calculated the child yield of the development to be 890 sq.m. in total. Approximately 520 sq.m. of the proposed amenity space has been identified for play. This includes doorstep play at podium level and 3rd and 7th floor roof levels. However, the use of roof areas for play from a safety and security perspective is questioned and therefore should be fully justified if it to be counted towards onsite playspace provision. In any event, the full doorstep play requirement should be provided on site as a minimum. Appropriate mitigation by way of a payment in lieu should be secured as necessary, in line with the Mayor's Play and Informal Recreation SPG. The applicant must confirm that the playspace is fully accessible to all tenures.
- 4.20 Design and heritage: The general layout arrangement is supported in terms of creating a sequence of blocks and public realm that reinstate the three street frontages. The form and massing arrangement of blocks also responds to the contrasting character of the high street, the neighbouring listed building and the emerging taller cluster at Homerton Station. The mix of light industrial and residential has been well balanced, with separate routes and entrances for

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vehicular servicing access at basement level and along the southern site boundary.

- 4.21 Residential entrances are located to be legible and welcoming from all three public facing edges. Refuse and cycle storage has been well considered and integrated into the plans. The four residential blocks, each served by a single core, provide efficient floor plans and a good proportion of dual aspect units in light of the tight knit, constrained nature of the site and its context. The use of through units and deck access is welcomed.
- 4.22 There are some instances of limited separation between units although this seems to be mitigated by ensuring living spaces and private amenity spaces are positioned so they do not directly overlook neighbouring units. The provision of rooftop shared amenity space is welcomed and the applicant should confirm that these are accessible to all residents or that equal quality of space is afforded to all tenures.
- 4.23 The architecture and materials palette draws on the established character and forms a good balance of heights distribution across the site. Industrial spaces are articulated to contrast with residential units above and provide active edges to the streets.
- 4.24 The stepped and angled profile of the tower creates a distinctive but simple addition to the local skyline. The submission includes attention to detail of key elevations and use of high quality brick and metal work which is welcomed. On this basis, the height of the tower is supported.
- 4.25 The setting of the Grade II listed buildings to the west of the development would be subject to change as the existing low density development on the site would be replaced with taller buildings immediately to the east and south, albeit these buildings have been sensitively designed to complement architectural features, materiality and respect the relatively lower scale of the listed buildings. It is therefore considered that no harm would arise to the setting or significance of these buildings as a result of the development. In respect of the Grade II listed buildings to the east (169 and 170 Homerton High Street), the development would again impact on the setting and the proposed buildings closest are notably taller. However, the high quality of the design of the replacement buildings compared to the existing is such that it is considered that the proposals would not give rise to harm to the setting or significance to these buildings. Furthermore, it is not considered that the development would harm the setting or significance of the Church and vicarage or nearby locally listed buildings.
- 4.26 In considering heritage asset impacts in any application, GLA officers give special regard to the desirability of preserving the setting of listed buildings, the desirability of preserving the character or appearance of Conservation Areas, and all relevant national, regional, and local policies. Based on their assessment set out above GLA officers consider that no harm to heritage assets would arise as a result of the proposed development.
- 4.27 10% of units would be provided as wheelchair accessible and the remaining 90% would be designed as accessible and adaptable dwellings in accordance with Part M, Volume 1 of the Building Regulations. As such, the scheme would

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fully comply with Policy 3.8 of the London Plan and Policy D5 of the ItP London Plan.

- 4.28 A Fire Strategy must be produced at application stage in accordance with ItP London Plan Policy D12. The applicant should also confirm that suitably sized fire evacuation lifts would be installed and maintained throughout the development in accordance with Policy D3. This should be secured by condition.
- 4.29 Environment: A number of key strategic issues with the energy strategy have been identified. The applicant must provide the following additional information and revisions to in order to confirm compliance with London Plan, ItP London Plan and GLA Energy Assessment Guidance including: ambient loop proposals are not supported and a communal heating network should instead be provided; full results of the overheating analysis should be submitted for review; the non-domestic overheating risk is not acceptable; and PV arrays should be maximised and fully evidenced.
- 4.30 The Flood Risk Assessment provided for the proposed development does not comply with London Plan Policy 5.12 and ItP London Plan Policy SI.12, as it does not give appropriate regard to surface water flood risk. The surface water drainage strategy for the proposed development does not comply with London Plan Policy 5.13 and ItP London Plan Policy SI.13, as it does not give appropriate regard to the drainage hierarchy nor provide sufficient information. Further details on how SuDS measures at the top of the drainage hierarchy will be included in the development, and additional calculations / details should be provided. The site falls within a Critical Drainage Area therefore providing a sufficient surface water drainage system is a key requirement. The proposed development does not meet the requirements of London Plan Policy 5.15 and ItP London Plan Policy SI.5 as it does not meet the water consumption targets of these policies.
- 4.31 Urban greening should be embedded as a fundamental element of site and building design, in line with London Plan Policy 5.10 and ItP London Plan Policy G1 and G5. Residential led schemes are required to target an Urban Greening Factor (UGF) of 0.4, which the applicant has confirmed would be achieved through the scheme proposals. This is welcomed.
- 4.32 Transport: As per TfL comments.

Met Police Design Out Crime Advisor (responded to both first and second round of consultation)

- 4.33 Responded to first round of consultation that there are no objections but recommend the attaching of suitably worded conditions requiring SBD accreditation. A range of security measures are recommended including: data logged fob access to communal areas; doors and windows to achieve PAS24 standards; Mail storage to achieve TS009; separate commercial and residential bike stores; CCTV coverage for residential and commercial areas.
- 4.34 Raised concerns during the second round of consultation that some security measures such as a second round of lobby doors between the lobby and lifts have been omitted.

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Crossrail (responded to first and second round of consultation)

4.35 Crossrail does not wish to make any comments with regard to the application.

TfL (responded to first and second round of consultation)

4.36 Responded initially that the proposal includes five pedestrian and cycle access points to the site, two from Homerton High Street, one off Digby Road to the west and two off Sedgwick Street to the east. It is also welcomed that a pedestrian route will be provided between Digby Road and Sedgwick Street via the central public courtyard; the Council would need to secure the public access right of this route by s106 agreement. One vehicular access will be provided along the western boundary of the site, off Digby Road. This will provide access to the one-way west - east internal road, which will be primarily for emergency vehicles and delivery and servicing vehicles; this is supported. As such, the applicant shall enter into a s278 agreement with TfL to remove the existing vehicular access off Homerton High Street and reinstate an improved footway. The principal acceptance of the new vehicular access design shall be subject Stage 1 Road Safety Audit prior to determination.

4.37 An Active Travel Zone (ATZ) assessment has been undertaken; six routes have been reviewed and several improvement opportunities have been identified. They include the poor and unwelcoming underpass at Homerton Station. Hackney Council is therefore encouraged to prioritise any development funding for this purpose and to address other issues identified in the ATZ in line with London Plan policy T2 'Healthy Street The ATZ also analysed recent accident data which highlights 116 accidents, 6 of which resulted in serious injury. It is noted that 2 serious injuries occurred on Homerton High Street, therefore it is asked that the applicant to look further into these two incidents to identify improvement opportunities and engage further discussion with TfL. Hackney Council is also encouraged to consider securing appropriate improvements to improve local safety accordingly; this helps to achieve the Mayor's Vision Zero objective. In order to improve the pedestrian environment of Homerton High Street, TfL requires that the applicant to enter into a s278 agreement under Highways Act 1980 with TfL to improve/ upgrade the footway of Homerton High Street along the development's northern frontage.

4.38 Servicing deliveries will take place within the basement of the site, via a one way west to east internal road separated from the pedestrian route with access from Digby Road and exit onto Sedgwick Street, this arrangement is supported and is in line with London Plan policy T7 to provide off-street servicing. It is expected that a detailed Delivery & Servicing Plan (DSP) would be secured by condition, in line with London Plan policy T2 and T7F. The DSP should ensure the orderly operation of the servicing area without compromising safety of road users or result in any adverse traffic impact to the local highway network.

4.39 In line with Draft London Plan policy T7, it is expected that the Construction Logistics Plan (CLP) should be produced in line with TfL's latest CLP guidance (DSP) and should be secured by condition. The CLP should identify efficient, safe and sustainable arrangements to be employed at each stage of implementation of the development to reduce and mitigate impacts of freight vehicle movements arising from the scheme, including impacts on the

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expeditious movement of traffic, amenity and highway safety. Details should, where relevant, include Freight Operator Recognition Scheme (FORS) Silver level memberships or similar accreditation, site access, loading/unloading and parking arrangements, booking systems and timing of arrivals at and departures from the site, vehicular routes, scope for load consolidation and use of alternative modes and measures to reduce risks and impact of collisions with vulnerable road users.

- 4.40 The following matters should be resolved before the application can be considered in line with the transport policies of the Intend to Publish London Plan; Secure access right for the pedestrian route through the central public courtyard; Undertake Stage 1 Road Safety Audit for the new vehicular access; Secure the provision of cycle parking and approval of details by condition; Secure the provision of disabled parking on street and reduce commercial on-street parking; secure legal restrictions to exempt future residents' eligibility for local parking permits; Undertake further review to address safety issue in the vicinity, and secure appropriate improvements; Secure the DSP and CLP by conditions; Review the Travel Plan ensuring it contribute positively toward the Mayor's sustainable travel goal and secure them by s106 agreement; and Secure appropriate Mayor CIL payment from the proposal toward Crossrail.
- 4.41 During the second round of consultation TfL reviewed the revised information and responded that the provision of on site disabled car parking spaces was supported. Appropriate improvements and mitigation highlighted above should be secured. In addition as the revised proposals do not incur any changes to trip generation or highway impact above that originally proposed, there would be no further strategic highway impact not highlighted above.

London Fire Brigade (responded to the first round of consultation)

- 4.42 The Brigade is satisfied with the overall planning proposals subject to the requirements of B5 of Approved Document B being met in relation to access and water supply. The internal layouts and provisions will be considered under the building control process. This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life.

Network Rail

- 4.43 We are currently carrying out an internal investigation as we suspect that the proposed development could potentially impose a risk to Network Rail Land/Infrastructure. We are writing to you to request for an extension on the deadline provided on the initial application.

Officer's Note: Despite having had the full consultation period and our attempts at further contact, Network Rail have not responded to our requests for a more detailed response. As such, standard conditions to prevent the development having an impact on the railway during the construction and end-use phases have been included. If a response is forthcoming prior to the committee meeting, it will be included in the addendum.

Natural England (responded to the first round of consultation)

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- 4.44 The proposed development is for the provision of 264 residential units within the 0-6.2km Zone of Influence for Epping Forest Special Area of Conservation (SAC). As a result, it poses a Likely Significant Effect to the SAC, which must be mitigated. In line with Natural England's interim advice, the development needs to provide a suitable package of avoidance and mitigation measures: well designed open space / green infrastructure within the development; contributions to a Suitable Alternative Natural Greenspace (SANG) or other alternative sites nearby; improved access for recreational walkers which may divert visits to walkable locations which don't require car travel to access.

Other Council Departments

Drainage (responded to both first and second rounds of consultation)

- 4.45 No objection subject to a condition requiring submission of a sustainable drainage system at a later date.

Waste Management (responded to first round of consultation)

- 4.46 The refuse and recycling information is basic and does not include sufficient detail on how bin numbers have been calculated, and it is not clear which storage areas are to be collected by waste management crews.

Transport (responded to first and second rounds of consultation)

- 4.47 The submitted trip generation assessment forms part of the TA. The assessment utilises surveys from the Trip Rate Information Computer System (TRICS) database to obtain the overall person trip rates for the existing and proposed development for the various land uses. Data has also been included from the 2011 Census to derive the potential mode share to and from the site for journeys to work. The existing site is estimated to generate 140 two-way trips in the AM and PM peak hours. The proposed development is anticipated to generate 1123 two-way trips in the AM and PM peak hours. The trip generation projections represent a very significant increase in trip generation to the application site. Council Officers acknowledge that these are not projected to be based on significant increases in private motor vehicle use. A series of robust mitigation measures are required to ensure that increases in private motor vehicle use do not occur (see below).
- 4.48 The scheme is proposed to be car-free which is in line with the London Plan and Hackney Local Plan policies. A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge). This should be secured via a legal agreement.
- 4.49 Disabled Parking spaces are required to be aligned with the LP33 and the draft London Plan. The submitted TA states that eight disabled parking bays are required for residential uses and two for commercial uses. Council Officers have reviewed the revised proposal for the Blue Badge Bays. The provision of 6 Blue Badge spaces on the public highway is relatively high. A higher number of Blue Badge bays should be accommodated on-site. The proposal may be deemed acceptable if a significant proportion of the on-street Blue Badge bays are installed with EVCPs. To ensure that the Blue Badge parking bays are policy compliant, active Electric Vehicle Charging Points (EVCPs) are required for both the on-street and on-site parking bays. At least one of the basement car parking bays should have provision for an active EVCPs. The remaining

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spaces should have passive provision.

- 4.50 To be policy compliant, LP33 requires 606 long-stay and 102 short-stay visitor cycle parking spaces to be provided. The proposed Cycle Parking provision was below the required standards outlined in LP33 and TfL's standards for short stay Cycle Parking. From Hackney's Local Plan, the proposal is a short-fall of 122 cycle parking spaces or approximately 17% underprovision. The revised proposal includes a smaller number of residential dwellings. Accordingly, the cycle parking proposal has been reduced. The proposed Cycle Parking provision remains below the required standards outlined in LP33 and TfL's standards for short stay Cycle Parking. The TA outlines that Council Officers have agreed to a lower provision of Cycle Parking if the proposal meets the London Cycle Design Standards (LCDS) in terms of quality.
- 4.51 The revised proposal outlines that the aisle widths for cycle parking are equal to or exceed 2.5 metres. The applicant has proposed that 16.5% of the residential spaces are provided as Sheffield Stands. For the commercial cycle parking, 10% are provided as Sheffield Stands.
- 4.52 The current cycle parking proposal is not deemed to be acceptable. The proposal is below policy standards and does not provide a high level of accessible cycle parking in line with LP42.
- 4.53 A Framework Travel Plan has been submitted as part of this application. A full Travel Plan will be required to establish a long-term management strategy that encourages sustainable and active travel . The Travel Plan is required to include SMART targets that are: specific, 2 measurable, achievable, realistic and time bound. The full Travel Plan will be required to be produced and implemented on occupation of the development. This will be secured through the s106 legal agreement inclusive of financial contribution towards the monitoring of the Travel Plan.
- 4.54 A framework CLP has been submitted as part of this application. Given the nature of the proposed development, a final Construction Logistics Plan (CLP) and final Construction Management Plan (CMP) are required and must be conditioned to mitigate negative impact on the surrounding highway network. To effectively monitor the final CLP the base fee of £8,750 is recommended to be secured via the s106 legal agreement.
- 4.55 A total of 90 delivery and servicing trips by all vehicular modes associated with 264 residential units are estimated per day. The TA does not consider commercial deliveries and servicing requirements. Owing to the reduced floor space, the delivery and servicing trips associated with the commercial aspect of the site are not anticipated to generate additional impact on the surrounding networks. Given the size and various uses of the site a Delivery and Servicing Plan (DSP) is recommended to be conditioned.
- 4.56 Car club membership and driving credit should be offered to all residents of the development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided. All future residents should be provided with the equivalent of £60 free members and or driving credit to a registered car club provider. The S106 car club contribution clause

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should state: 'A credit equalling a minimum monetary value of £60 per new residential unit made available, to the first occupant of each new residential unit, as a contribution towards their car club membership fee and/ or driving credit.' A contribution of £10,000 is required to be secured via s106 legal agreement to install an electric vehicle charger to facilitate an electric car club in close proximity to the development site.

- 4.57 In accordance with Local Plan policies, new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London (see Local Plan 33 policies LP41 - 45 for further details). Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users. They are expected to constrain car ownership and ensure that any motor vehicle trips that do occur are made using low-emission vehicle technologies as possible. Owing to the significant impact of the development on the public highway and surrounding transport network, contributions are sought for highways and urban realm improvements within the site vicinity, including a £20,000 contribution to improve lighting within the Homerton Station underpass. In addition a further contribution of £75,000 is sought towards active and sustainable transport initiatives and ongoing assessments. These measures are derived from the scale of the development.

Private Sector Housing (responded to the first round of consultation)

- 4.58 No objections to the application.

CCTV Team (responded to the first round of consultation)

- 4.59 Request a contribution of £91,000 for upgrades to CCTV surrounding the site. There is a pressing need to increase CCTV as part of this development in order to cater for the impact on the community. As there will be an increase in residential dwellings and thus an increase in residents in the area and footfall to and from Homerton station. The proposed scheme would include 2 new PTZ cameras and an upgrade of an existing PTZ camera to include a static camera on the same pole. This will provide us with coverage in the areas leading to the station and meet the 'pressing need' for CCTV in the area to help with crime and anti social behaviour. Looking at the current crime statistics in the area:
(<https://www.police.uk/pu/your-area/metropolitan-police-service/homerton/>)
you can see there is already a pressing need for CCTV which will likely increase as the area develops.

Pollution (ground) (responded to the second round of consultation)

- 4.60 The Phase 1 document encompasses a standard format desk study and site reconnaissance undertaken in accordance with published guidelines and which is considered acceptable. It presents sufficient evidence and information on the historical and current use of both the site itself and adjoining land to present a qualitative risk assessment of potential contamination and to the extent that no further documentary research or assessment would be required. Agree with the report's conclusions that an Unexploded Ordnance Survey and Phase 2 intrusive site investigation should be undertaken, that is a quantitative assessment to determine the nature and extent of contamination within the site. Further details in the form of a preliminary site investigation

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scheme should be submitted to the local authority for approval prior to any work being undertaken, to be secured by condition.

Pollution (Noise) (Responded to the second round of consultation)

- 4.61 Recommend conditions requiring internal noise levels within completed residential units accord with BS8233; details of soundproofing between commercial and residential units should be submitted for approval; and a condition ensuring that noise from plant and machinery remains does not cause adverse impacts upon the amenity of neighbouring occupiers.

Pollution (Air quality) (responded to the second round of consultation)

- 4.62 The Air Quality Assessment needs to present modelled concentrations at the development, not just concentration levels of pollutants at ground floor level. Further to this concentrations at relevant receptors should be categorized into the relevant air pollution exposure criteria within the London Councils Air Quality and Planning Guidance 2007, Based on the APEC classification any relevant mitigation measures shall be set out in the AQA.

Local Groups

Hackney Society (responded to the first round of consultation)

- 4.63 The principle of development is acceptable but the incredible density in this proposal is driving the design and creating constraints that are difficult to resolve. In particular, the buried commercial uses require substantial amounts of the ground floor to service them, further compromising the inadequate amount of activity at places on the ground floor. Whilst there is also much that is acceptable, we think a more holistic rethink of site use and layout would ease the density and compromised elements.

Hackney Design Review Panel (DRP)

- 4.64 The application was presented to the DRP panel in January 2020. The Panel raised some concerns with the proposals as follows: *“The Panel considers that the proposal does not currently capture the character of Homerton with the design, both in regards to its overall strategy, but also in terms of the form and massing of the proposal, and the architecture. The Panel recognises that there are challenges with a number of competing demands from a policy perspective, however it is considered that the current proposal has focussed too heavily on some of these aspects, such as the amount of commercial space required to the detriment of other areas. They consider that a consequence of this, is that the strategy of the proposal, and the character of spaces have been compromised.*
- 4.65 *...The Panel considers the relationship between the light industrial uses, with all their associated outputs such as noise, mess etc. and the residential uses above needs to be further integrated and better understood, as it is considered that the proposed relationship is not successful. Concerns were raised in relation to the employment offer which seems to replicate other commercial units on Sedgwick Street that are currently unoccupied.*
- 4.66 *....In relation to the proposed strategy of a central courtyard, it was questioned whether the proposed sunken courtyard is the most appropriate solution, given the conflict between the public route and the service space for the light industrial units. The Panel is unconvinced about whether the public would use*

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this route, and the benefits of this strategic move is not obvious at present.

- 4.67 *...The Panel considers that the current proposal demonstrates overdevelopment, and there is too much development proposed on the site which is considered inappropriate when considering the site as a part of the city. The Panel stresses the importance of the proposal being appropriate to the city around the site, which it is not currently. The panel is of the view that, as aforementioned, the basement raises a variety of issues and that ideally the light industrial units could be accommodated at ground and first storey which may allow for height to be reduced, with viability in mind.*
- 4.68 *...The Panel believes that the current strategy of the proposal is not conducive to a high quality residential scheme. The Panel feels that the convoluted layouts of the proposed residential accommodation, some with limited external facing windows accessed via long corridors of double loaded circulation, leading to difficult to access shared amenity spaces, shows that the applicant is trying to fit as many units as possible at the expense of designing an accessible and high quality residential scheme. It is considered that the shared amenity spaces will likely not be used in terms of child mobility and parents not feeling easy to let their children use these spaces unsupervised which should be reconsidered.*
- 4.69 The application proposals evolved further and proposals were considered by the panel again in February 2021. The Panel recognised that there had been some response to the pre-application review. However a number of concerns were raised as follows: *“The panel are unable to support the current proposals, in design terms - as a live planning application. The panel welcomes improvements to the courtyard and workshop servicing. The industrial workshops are well designed and could be beneficial for local employment. The proposals are over developed for a mixed use light industrial and residential community. The courtyard is too small, lacking in permeability and spatial flexibility. The residential servicing and on-site parking is poorly resolved. The quality and character of the architecture should be developed, particularly in relation to the tall element and the expression of the individual blocks. The entrance lobbies, relationship with circulation cores, bike storage ,refuse and home thresholds are circuitous and poorly designed. The material and style of buildings could be simplified and expression strengthened. The experience of the new community should be considered in terms of the environmental quality and local amenities”.*
- 4.70 The revised application proposals were considered again by the DRP as part of a workshop meeting in August 2021, and the following comments were made by the panel: *“The courtyard is improved, however the scheme would greatly benefit from this being enlarged further. There have been significant improvements to the facades of the blocks that show a deep level of thinking. Improvements have been made to the entrance lobbies and the interface between building and the public realm. Refinement of the materiality and architecture of the building is successful, however simplifying the material palette further would benefit the design quality. The form and architectural language of the tower should be further developed in order to be of a suitably high quality, given this will be the tallest building in the area. There is a concern around the prevalence of double loaded corridors and quantity of single aspect units. There remains the concern that the proposal is too dense.*



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The public realm at Sedgwick Street should be developed to further prioritise pedestrian use”.

Hackney Swifts (response to first round of consultation)

4.71 Welcome the incorporation of 15 swift boxes within the development within integrated nesting bricks.

5 POLICIES

5.1 Local Plan 33

- PP5 - Enhanced corridors
- LP1 - Design quality and local character
- LP2 - Development and amenity
- LP3 - Designated heritage assets
- LP4 - Non designated heritage assets
- LP5 - Strategic and local views
- LP6 - Archaeology
- LP8 - Social and community infrastructure
- LP9 - Health and wellbeing
- LP11 - Utilities and digital connectivity infrastructure
- LP12 - Meeting housing needs and location of new homes
- LP13 - Affordable housing
- LP14 - Dwelling size mix
- LP17 - Housing Design
- LP26 - New employment floorspace
- LP27 - Protecting and promoting office floorspace in the borough
- LP28 - Protecting and promoting industrial land and floorspace in the borough
- LP29 - Affordable workspace and low cost employment workspace
- LP31 - Local jobs, skills and training
- LP41 - Liveable neighbourhoods
- LP42 - Walking and cycling
- LP43 - Transport and development
- LP44 - Public transport and infrastructure
- LP45 - Car parking and car free development
- LP46 - Protection and enhancement of green infrastructure
- LP47 - Biodiversity and Sites of Importance for Nature Conservation
- LP48 - New open 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 - pollution

5.2 London Plan (2021)

- GG1 Building strong and inclusive communities
- GG2 Making best use of land
- GG3 Healthy cities
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD1 Opportunity areas
- SD3 Growth locations



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SD4 Central activities zone
SD5 Offices, other strategic functions and residential in the CAZ
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising capacity through the design led approach
D4 Delivering good design
D5 Inclusive design
D8 Public realm
D9 Tall buildings
D10 Basement
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of change
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to affordable housing
H6 Affordable housing tenure
H10 Housing size mix
S1 Developing London's infrastructure
E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E11 Skills and opportunities for all
HC1 Heritage conservation and growth
HC3 Strategic and local views
HC4 London View Management Framework
HC5 Supporting London's Culture and creative industries.
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI1 Improving air quality
SI2 Minimising carbon emissions
SI3 Energy infrastructure
SI4 Managing heat risk
SI5 Water infrastructure
SI6 Digital connectivity infrastructure
SI7 Reducing waste and supporting the circular economy
SI12 Flood risk management
SI13 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
T6.2 Office car parking
T6.5 Non residential disabled car parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

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5.3 SPD/SPG/Other

Hackney Planning Contributions SPD 2020
Hackney Sustainable Design and Construction SPD 2016
Draft Future Shoreditch Area Action Plan April 2019
Hackney South Shoreditch Supplementary Planning Document 2006
Hackney Child Friendly Places SPG 2020
GLA Housing SPG March 2016
GLA City Fringe Opportunity Area Planning Framework 2014
GLA Control of Dust and Emissions During Construction and Demolition 2014
GLA Sustainable Design and Construction SPD 2014
GLA Accessible London SPG 2014
GLA London View Management Framework SPG 2012

5.4 National Planning Policies

National Planning Policy Framework and Planning Practice Guidance

5.5 Legislation

Town and Country Planning Act 1990 (as amended)

6. COMMENT

6.1 Background

- 6.1.1 The proposals seek to demolish the existing buildings and redevelop the site for a mixed-use development comprising buildings ranging in height from 4 to 17 stories containing 245 residential units (Class C3, reduced from 264), 4,489m² of commercial floorspace (reduced from 4,532m²) including 402m² A1 & 327 m² of A3/A4/A5 uses, including vehicle access from Sedgwick Street and Digby Road into a basement service area, roof terrace external amenity spaces, publicly accessible open space and landscaping, plant and all other associated works. .
- 6.1.2 Basement floors comprise employment floorspace and a circular shaped service yard. The service yard is accessed at ground floor level from Sedgwick Street with an exit point onto Digby Road.
- 6.1.3 At ground floor level and above the development comprises a series of buildings with blocks C (part 6, part 7 stories in height) and D (5 stories) facing Homerton High Street, Buildings A (part 3, 14 and 18 stories) and B (part 6, part 7 stories) face Sedgwick Street, and block E (7 stories) facing Digby Road. A courtyard space is located at the centre of the site, with pedestrian entrances from Digby Road, Sedgwick Street, and Homerton High Street.
- 6.1.4 Office / light industrial, cafe/ restaurant and retail uses are located at ground floor and mezzanine level facing Homerton High Street. Office, light industrial and artist studio units face towards the central courtyard, Sedgwick Street and Digby Road. Residential units are located on upper floors. A number of communal amenity terraces are proposed in a number of locations across the site.

6.2 Land use

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Principle of proposed office / light industrial / retail / restaurant floorspace and impact of the proposals upon the Homerton Priory Industrial Area

- 6.2.1 The application site is located within the City Fringe Opportunity Area (OAPF) as designated by the London Plan. The site is also within a Priority Industrial Area (PIA) as designated by policy LP27.
- 6.2.2 London Plan Policies E1 and E2 supports the development and redevelopment of employment floorspace, including offices and other B class uses. Proposed floorspace is encouraged to be flexible in type, use and size, available at a range of rent levels, and suitable for micro, small and medium size businesses. Development proposals resulting in loss of lower cost business space, are required to demonstrate that the existing space is no longer required, or that equivalent affordable workspace is re-provided.
- 6.2.3 Hackney Local Plan policy LP26 sets a target for delivery of 118,000sqm of new office floorspace by 2033 and states that industrial development in priority industrial areas is supported, with employment floorspace maximised. Part B of policy LP26 does state that development should incorporate other priority uses such as conventional affordable housing and have active frontages at ground floor level, where appropriate.
- 6.2.4 As such given the above, there is broad policy support for provision of new office floorspace at the site. However Hackney Local Plan policy LP28 includes a detailed set of criteria which must be met to fully accord with the policy:
“New Industrial Floorspace A. Where proposals involve the provision of new industrial floorspace (B1c, B2, B8 and Sui Generis uses of an industrial nature), the development must be of an appropriate scale and should be flexible and adaptable for different types of uses and suitable to meet future needs.
Priority Industrial Areas
B. New development or redevelopment of sites within Priority Industrial Areas will be permitted where:
i. It maximises the delivery of employment floorspace by maintaining, re-providing the same quantum of industrial floorspace (as either B1c, B2, B8), or intensifying the existing industrial uses;
ii. It includes the maximum viable amount of employment floorspace;
and iii. in the case of mixed use development schemes, are designed to ensure that there are no environmental impacts or conflicts between uses, applying the agent of change principle”.
- 6.2.5 The proposals have been assessed against the above criteria. In terms of part A of policy LP28, the existing business floorspace is dated, of low quality, and supports a very low level of employment density on the site. The proposed business floorspace will comprise a range of purpose built office and light industrial accommodation at ground and basement levels in a range of unit sizes. These units will benefit from off street servicing directly into the units via the basement loading bay. These servicing arrangements were improved as a result of feedback from the Design Review Panel. Floor to ceiling heights are sufficient to support a range of business units, and glazed frontages to the units are provided at ground floor level facing onto surrounding streets or the

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publicly accessible courtyard within the development. In addition a number of small scale artist studios have also been provided, with frontage and access via Sedgwick Street. As such the proposed business floorspace is considered to be of appropriate scale and sufficiently flexible to meet a range of business occupiers, in accordance with part A of policy LP28.

- 6.2.6 In terms of part B(i) of the policy the proposals would result in a reduction of around 1000sqm of business floorspace in comparison with existing. However the existing floorspace is of poor quality and the proposed new business floorspace would be of high quality and would better meet the current requirements of businesses.
- 6.2.7 The proposals would still deliver a significant amount of new business floorspace with an ability to form a new business location. In theory some increase in light industrial floorspace could be provided through change of some of the proposed retail and restaurant floorspace to light industrial. However a limited amount of retail / food and drink uses would contribute to the overall level of activity and vibrancy at the site, and help to meet the needs of residents in the surrounding area. As such it would not be desirable to increase light industrial floorspace at the expense of the ancillary retail uses proposed, as this would be detrimental to the placemaking quality of the development. In addition a reduction of residential floorspace and increase in business floorspace would also not be desirable given this space is at upper levels, and would be less suitable for office and in particular industrial use. As such the amount of business floorspace is considered to be the maximum which can practically be delivered by the development.
- 6.2.8 In terms of part B(ii) of policy, the financial viability of proposals in terms of the amount of business floorspace and provision of affordable housing has been carefully assessed, through review of the submitted financial viability assessment. The level of business floorspace proposed is considered to represent the maximum viable amount which can be delivered, without impacts upon other areas of the development, for instance affordable housing provision.
- 6.2.9 In terms of part B(iii) of the policy, the site is located within the Homerton Priority Industrial Area. However the PIA already has a mixed use character as a result of other mixed business and residential developments which have taken place in the vicinity of the site including on the opposite side of Sedgwick Street. The proposed business and commercial uses have been carefully designed to ensure that pollution impacts upon residential units are mitigated. As such the proposals are not considered to result in an adverse impact upon residential amenity, which would have an adverse impact on the overall function of the PIA. Pollution impacts are discussed in greater detail in later sections of this report. As such part B(iii) of policy LP28 can be addressed.
- 6.2.10 In addition the proposals also include retail / restaurant floorspace within two units, facing Homerton High Street, Sedgwick Street and the courtyard within the development. This will help to ensure that the building will still have active frontages and encourage increased street level activity. Such uses will also support the ancillary needs of business and residential uses in the site and surrounding area. As such the overall mix of uses within the development is

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considered to be appropriate given the site's location and context, in accordance with part B of policy LP26 and LP28.

Affordable workspace

- 6.2.11 London Plan policy E3 and Hackney LP33 policy LP29 support provision of affordable workspace as part of office and industrial development. Policy LP29 states that for development within PIAs *“at least 10% of the new employment floorspace (gross) should be affordable at no more than 60% of the locality’s market rent in perpetuity, subject to viability”*.
- 6.2.12 The proposals comprise 377sqm (GIA) of affordable workspace. This would amount to 10% of the total proposed office floorspace and would be let at less than 60% of market rates for offices in this area. As such the proposed affordable workspace provision would meet the requirements of policy LP29.
- 6.2.13 Concerns with regard to loss of existing businesses who currently occupy the site are noted, and London Plan policy E2 does require that low cost workspace is provided to offset any space lost (in particular creative and artists workspace) through redevelopment. Individual businesses cannot be protected as part of the planning process. However the proposed commercial floorspace has been designed to be as flexible as possible so that it could meet the needs of existing and future occupiers. In addition a proportion will be provided as affordable workspace as noted above. The use of the commercial floors is conditioned to remain as commercial floorspace. In line with the assessment above, the creation of the higher quality commercial floorspace is considered to adequately offset the loss of the existing low quality, low cost commercial floor space within the planning balance. It is recommended that it should be found acceptable on this basis.

Housing

- 6.2.14 London Plan and Hackney LP33 policies all highlight the need for new housing supply to meet pressing housing need in London and Hackney. London Plan policy H1 states that housing delivery on all suitable sites should be optimised and sets a ten year target of 13,280 new homes to meet this need in Hackney. LP33 policy LP12 also supports housing delivery and states that the Council will plan to deliver a minimum of 1,330 homes per year up to 2033 by encouraging development on small sites and through allocating sites for residential use.
- 6.2.15 As such the provision of a significant amount of new housing at the site would help to meet the Council’s housing delivery targets and address housing need in the borough, in accordance with London Plan policy H1 and Hackney LP33 policy LP12.

Affordable Housing

- 6.2.16 The NPPF states that local planning authorities should assess the need for different types of housing including affordable housing and develop policies accordingly. London Plan policy H4 sets a strategic target of 50% of new homes to be affordable. Policy H5 sets out a threshold approach, where proposals with 35% or more of affordable housing are eligible for fast track

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assessment. Proposals with less than 35% affordable housing are subject to full viability assessment, to ensure that they provide the maximum reasonable amount of affordable housing. Policy H6 requires a tenure split of 30% social or affordable rent, 30% intermediate and the remaining 40% to be of an affordable tenure type to be determined by the borough. LP33 policy LP13 also sets out a similar 50% affordable housing target with a 60/40 social rent / intermediate split, subject to viability.

- 6.2.17 The scheme proposes 25% Affordable Housing, measured by unit (4 London Affordable Rent units and 28 Shared Ownership units). As the proposals comprise less than 35% affordable housing, a Financial Viability Assessment (FVA) has been submitted in order to gauge the maximum reasonable amount of affordable housing that can be provided as part of the scheme. The inputs within the appraisal in terms of build costs, existing use value of the site and rental values have been reviewed by external consultants.
- 6.2.18 Based on a discussion of market comparables, a gross development value of £127,299,515 for the development, including 183 private residential units, affordable housing units, private commercial and affordable commercial floorspace is considered appropriate. A value for the affordable units has also been discussed by the applicants and Council's consultants. In addition construction costs have been reviewed by specialist cost consultants appointed by the Council and subject to dialogue with the applicant's consultants. A cost of £122,632,229 is considered appropriate.
- 6.2.19 The Benchmark Land Value (BLV) within the appraisal has also been discussed in detail, taking into account the existing commercial and community uses on the site. A BLV of £10,481,316 has been agreed, though there has been disagreement between the Council's and applicant's consultants on this issue. When the inputs considered appropriate are taken into account the proposed development would still only have a residual profit margin of £18,618,855 which reflects a deficit of -£1,615,603 against the targeted required return of £20,234,459. This deficit is considered to be relatively small, given the size of the development, and could be overcome through small changes in either sales or costs. As such the applicants have made a commercial decision to proceed on the basis of the proposed level of affordable housing, despite the existence of this deficit.
- 6.2.20 Following extensive negotiation between the applicant, planning officers and the Council's independent advisors, the applicant has agreed to the provision of affordable housing that equates to 25% of the units, 28% measured by habitable rooms. This comprises 34 London Affordable Rent units and 28 Shared Ownership units, reflecting a mix of 60/40 in favour of London Affordable Rent when measured by habitable room, which reflects that the London Affordable Rent units have more habitable rooms overall.
- 6.2.21 The proposed level of affordable housing is considered to be the maximum reasonable amount of affordable housing which can be provided as part of the development. As such, provision of a greater proportion of affordable rent units at the expense of private or shared ownership units would not be possible as it would further reduce the viability and deliverability of the development. An early / late stage viability review clause is proposed as part of the S106 agreement to review development viability at a later stage to

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ensure that the maximum amount of affordable housing can be achieved.

Housing Quality

6.2.22 London Plan policy H10 seeks to promote housing choice and a balanced mix of unit sizes in new developments. LP33 policy LP14 sets a range of the proportions of 1/2/3 bed units, subject to tenure type:

Bedrooms / Dwelling size	1 Beds	2 Beds	3 Beds
Affordable / social rent	30-34%	30-34%	33-36%
Intermediate	Lower % than 2 bed	Higher % than 1 bed	15-25%
Private	Lower % than 2 bed	Higher % than 2 bed	33%

6.2.23 The Mayor of London’s Housing SPG states that local policies requiring a range of unit sizes should be applied flexibly depending upon site specific circumstances. It is also noted that LP33 policy states that variations to the dwelling size mix sought if this can be justified based on the tenures and type of housing proposed, site location, area’s characteristics, design constraints, scheme viability; and where shared ownership is proposed, the ability of potential occupiers to afford the homes proposed.

6.2.24 The housing mix of the proposal, as set out in the table on page 2 of this report, would provide 0% of private units, 32% of affordable rent and 0% of intermediate units as family sized accommodation. There are a larger number of 2 beds than 1 bed units in the private, intermediate and affordable rent tenures. As such the proportion of 3 bed family sized units would not meet the mix required by policy.

6.2.25 However the proposed housing mix has been configured to meet the most important requirements of housing mix (family sized units in the affordable rent tenure type) as well as ensuring development viability. Larger 3-bed units in the private and intermediate tenure types would be less affordable than smaller units. In addition the mix of uses required by policy at the site has created greater challenges for provision of larger family sized units and associated external amenity spaces. As such when all these factors are taken into consideration the proposed mix of unit sizes is considered acceptable, given the specific circumstances of the site, in accordance with the above policies.

6.2.26 All the proposed residential units would meet the space standards within the Nationally Described Space Standards (NDSS), and accord with the design principles within the Mayor of London Housing SPG, with each unit benefiting from private and communal amenity space. The layout and design of the

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proposed units has improved as part of the revisions to the application, with more spacious welcoming entrance lobbies with internal access to bike stores; a reduction in units accessed from one core per floor to comply with the Mayor of London Housing SPG (no more than 8 units per floor); and a reduction in studio units.

- 6.2.27 23% of proposed units are single aspect with the remainder as dual or corner aspect units. Whilst a lower proportion of single aspect units within the development would be preferred, this would be difficult to achieve given the constrained nature of the site and surrounding context. In addition most of the single aspect units are 1 bed sized, with a smaller number of 2 bed single aspect units. All family sized three bed units are dual aspect. None of the single aspect units are north facing. As such the proposals would be in accordance with the Mayor of London Housing SPG. 25 wheelchair units (building regulations M4(3) compliant) are proposed, of varying sizes, distributed across all tenure types, and accessed from cores with two lifts. As such this would accord with policy requirements for 10% provision of wheelchair units. Of the remaining residential units all would comply with building regulations M4(2) (accessible and adaptable dwellings).

Loss of community floorspace

- 6.2.28 The existing buildings include some community uses, such as three churches that appear to have been operating for some time. There are a number of refused applications for these church uses (see history section) but these three churches do not appear to benefit from planning permission. There is record of a mixed (sui generis) use being granted at the site, which included a use for worship alongside a host of other uses (including live performances, music tuition, theatre, cinema, music museum, computer classes, broadcasting, sale of alcohol, music, dance, sound engineering and indoor sports), but the applicant has confirmed this use closed in 2011. Policy LP8 in the Hackney Local Plan states that *“Proposals involving the loss of existing social and community infrastructure will be permitted where one of the following criteria is met:*
- i. a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided;*
 - ii. it has been demonstrated, as evidenced by at least a year of active marketing, that the facility is no longer required in its current use and it has been demonstrated that it is not suitable and viable for any other forms of social infrastructure for which there is a defined need in the locality, or for which there is a current or future need identified in the Infrastructure Needs Assessment and Delivery Plan”.*
- 6.2.29 The applicants state that the churches have relocated to alternative premises following the Covid-19 outbreak and that rental income has not been taken for some time. There appears to be some disagreement on this point and one of the church leaders contacted the Council on 8th November to state that they still used one of the units. However, it has not been possible to clarify this point with them and the site visit did not prove conclusive. The Council's Regeneration team would be interested in talking to existing tenants about relocating the premises but to date there has been no response from the consultee about this.

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6.2.30 The existing buildings are in poor condition and therefore marketing of the site would be challenging. The re-provision of the community uses within the proposed development is feasible but community floorspace can be already found at neighbouring alternative sites in the vicinity of the site, such as at Barnabas Road. In addition, given the location of the site within a PIA the provision of a place of worship or community use in the proposed development could have an adverse impact upon provision of industrial / employment floorspace within the development. It is also noted that the existing uses are unauthorised. When all these factors are taken into consideration, the requirements of part ii of policy LP8 are met in that it would not be suitable or viable to provide community use within the development, given the other policy requirements including policy LP28.

6.3 Design and conservation

6.3.1 Policies D1-D4 of The London Plan 2021 require architecture to make a positive contribution to a coherent public realm, streetscape and wider cityscape, incorporating the highest quality materials and design appropriate to the surrounding context. LP33 Policy LP1 states that all new development must be of the highest architectural and urban design quality. Development must respond to local character and context having regard to the boroughwide Characterisation Study, and be compatible with the existing townscape and local views.

6.3.2 Policy HC1 of The London Plan 2021 requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. LP33 Policies LP3 Designated heritage assets, LP4 Non designated heritage assets, LP5 Strategic and local views and LP6 Archaeology require the Council to conserve designated and non-designated heritage assets (including their settings), protect the London View Management Framework (LVMF) and identified local views and make appropriate arrangements for archaeology.

6.3.3 It should be noted here that the design of the proposed building has evolved over time through various pre-application meetings, including three presentations to the Hackney Design Review Panel.

Form, scale and massing

6.3.4 The comprehensive development of the urban block is beneficial in design terms as it allows for a considered composition of scale, form and massing across the entirety of the application site. The general scale form and massing is of a height that is generally consistent, ranging from 4 - 7 storeys, with the massing and bulk of each block responding to the differing context and constraints of the site's edges. Additional height is proposed to the south of the site, in the form of a 17 storey tower. The comprehensive development of the site also allows for a new courtyard space at ground level, within the centre of the urban block which is considered acceptable and is supported.

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- 6.3.5 The scale, form and massing of building E responds appropriately to the existing context of Digby Road, where the existing buildings to the south have a similar scale form and massing to that which is proposed in the application. Building E is broken down in its massing in order to maintain an appropriate relationship with the listed buildings to the north of the proposed block. This also helps to tie the four storey element to the neighbouring development to the south, enhancing the architectural character of the whole urban block.
- 6.3.6 Building D is separated from the listed buildings and its scale and height helps to ensure that an appropriate relationship is maintained. The increase in scale, moving eastwards from the existing listed building is considered acceptable, given that it continues the pattern evidenced by the existing listed buildings, as shown in the CGI views looking South-east along Homerton High Street. The layout of the block also accommodates two north/south routes through to the proposed courtyard.
- 6.3.7 It is considered that Building C, on the corner from Homerton High Street and Sedgwick Street, relates well to the form, proportion and character of the surrounding buildings or the urban grain of Homerton High Street. It is considered that the proposed six storey shoulder height, topped by a setback seventh storey, works well as a corner building. It is in keeping with the general prevailing height along Homerton High Street, and the additional height on this corner highlights the enhanced route towards Homerton Station, to the south of the site.
- 6.3.8 Along Sedgwick Street, the height of blocks C and B help to emphasise the corner of Homerton High Street and Sedgwick street by stepping down a storey. The overall height and scale of the proposal is in keeping with the scale and massing of the block to the eastern side of Sedgwick Street. Moreover, the massing of these blocks is broken down so that it offers a variety in composition along Sedgwick Street. A route between blocks C and B facilitates access to the shared courtyard at ground level. Sufficient separation between these blocks further breaks down the mass of this street edge so it relates well to the existing urban grain of Homerton.
- 6.3.9 Building A2, south of Building B, is three storeys in height. The height of this element is lower than the other blocks in order to ensure amenity impacts are reduced. This lower height helps to ensure the composition of the tower to the south is more elegant.
- 6.3.10 The taller tower element (Building A) is to the southeast of the site, forming the largest building in the existing tall building cluster. Over the course of the application, additional work has been undertaken by the applicant, with the support of officers and comments from the Design Review Panel (DRP), to refine the form of this tower so that it is elegant and to ensure the design of appropriate external environments for the residents. It is now considered that the design successfully emphasises the tower's verticality and is considered to be of a high design quality, including in longer views.
- 6.3.11 The site is located in the City Fringe Opportunity Area, where the London Plan states 'tall and large buildings should generally be limited to'. The policy guidance goes on to state that these should 'only be considered in areas

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whose character would not be affected adversely by the scale, mass or bulk of a tall or large building'. It is considered that the current scale, form and massing of the proposal achieves this at present. Wind mitigation has been integrated into the design, forming a canopy at the base of the tower, which also functions as an enhanced entrance threshold.

- 6.3.12 It is considered that, as a result, the tower forms a balanced composition with other tall buildings grouped around the station. The tower element has a coherent role in the wider context, as well as being of a high quality design. The wider public realm is also improved as a consequence of the proposal. As a result, the taller building is considered to meet the requirements outlined in LP1 (Taller Buildings) of LP33.

Architecture and Materials

- 6.3.13 The architectural language has been developed substantially over the course of the application. The use of brick is supported, given the industrial character of the site and the wider area. The calm expression of the architecture proposed is considered to be appropriate given that the surrounding area has a variety of architectural styles, periods and expressions. The architectural language proposed uses a refined material palette in order to repair the currently varied architectural character of the site and to provide a coherent proposal, whilst allowing for variation in facade articulation and detailing in order to suitably relate to the varying contexts on the edges of the site. This creates visual interest and helps to offer a coherence to the entirety of the proposal, whilst also referencing the changing urban grain of Homerton.
- 6.3.14 The proposal also mediates well between the more industrial character at ground level, and the residential above, with robust detailing featuring crittal style windows to industrial size openings at ground floor level. This helps to emphasise the difference between these two uses and achieves a high quality design. The proposed balconies relate well to the industrial character of the area.
- 6.3.15 At ground level, the entrance thresholds to residential entrances are well designed and considered to adequately transition from street to residential lobby. The spaces have an individual identity and are clearly legible from the streetscape. The base of the tower is expressed as a double height space and its proportions are commensurate with the scale and height of the proposed building.
- 6.3.16 Materials and details are included in the proposed conditions, in order to ensure a high quality design is delivered throughout the subsequent stages of the planning process.

Conservation and Heritage Assets

- 6.3.17 The Council is under statutory duties contained within sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to grant permission only to applications which preserve or enhance listed buildings, their settings and conservation areas. The National Planning Policy Framework (2021) provides a range of policies relating to heritage protection at paragraphs 189 to 208. The Council has considered the proposed

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development in relation to these policies and particularly Paras 199 to 208. Policy HC1 of the London Plan (2021) and Policy LP3 of LP33 require that development preserves or enhances the character of designated heritage assets.

6.3.18 The impacts of the proposed development on these heritage assets are considered as follows as required by the above identified legislation and policy.

6.3.19 Impact on surrounding heritage assets: Officers have undertaken an assessment of the visual impact of the proposals, using information from the Townscape and Heritage Visual Impact Assessment (THVIA) submitted by the applicant, as well as site visits and the Council's own VUcity model. The site is not within, or within the setting of a conservation area but it is located near to 5 statutory Listed Buildings/structures.

6.3.20 *Church of St Barnabas, Vicarage and War Memorial:* The church dates from 1845-7, designed by Arthur Ashpitel and built in a late medieval style with details from the C14 and C15 although the predominant character is Perpendicular. There is a prominent four-stage tower with higher, polygonal south-east stair turret; both with embattled parapets, and angle buttresses to the tower. Homerton War Memorial is a well-executed and imposing stone Celtic cross with group value owing to the association with the Church of St Barnabas.

The new development is located to the south of the church and therefore within the setting of the Listed Building. The street-facing buildings on Homerton High Street are considered to preserve the setting of Saint Barnabas Church as they are a sufficient distance away.

There are concerns with the erection of the tower and how it appears within long distance views (none of which were included within the TVIA). The backdropping of Listed Buildings is more common in built-up areas such as Shoreditch. In the case of Homerton owing to the low scale of buildings this is more unusual and whilst there are existing towers forming part of the cluster these do not backdrop the church. Nevertheless, though the proposed development would backdrop the church, it would be set away from the church tower and thereby not rival this important element of the Listed Building. Moreover, following revisions the tower takes a more slender form which helps to minimize the impact.

6.3.21 *140 and 142 Homerton High Street:* Mid-late C18 pair each 3 storeys and basement, 3 windows. Pinkish brick with stone-coped parapet with gauged near-flat red brick arches. Doors of 4 fielded and 2 beaded panels with enriched cornice head continuing to become impost of moulded architrave and capital of engaged Doric columns.

Historically a two storey building existed adjacent to 142 Homerton High Street, as demonstrated by the modern render on the Listed Building. This likely matched the small cottage adjacent to No.140. Other than this low building, the neighbouring matching semi-detached villas were well set back from the road. The two storey elements, adjacent to 142 Homerton received

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minor blast damage in World War Two before being demolished in the 1950s to make way for the neighbouring industrial development.

These buildings were once the grandest and tallest on Homerton High Street and are currently the tallest within the immediate block with all buildings being subservient, either in terms of position or massing. Therefore the proposal for a 4 storey with attic building with minimal spacing and erection of an 8 storey building beyond would appear overbearing to the Listed Buildings and fail to preserve their setting. The impact is particularly harmful within the view looking east from Homerton High Street. However, although the new building is bigger than the Listed Buildings the architectural language and material palette picks up on that of the Listed Building (without being a facsimile) such as the distinctive gable end and chimneys and the use of brick.

- 6.3.22 *168 and 170 Homerton High Street:* Mid-late C18 pair, each 3 storeys and basement, 3 windows. They are constructed of stock brick with stone-coped parapet and gauged flat red brick arches to sash windows. No 68 has 2 steps to the door of 4 fielded and 2 beaded panels in Doric doorcase with engaged columns and open pediment framing radial fanlight in narrow moulded architrave.

These Listed Buildings are set back from Homerton High Street and owing to the positioning of neighbouring buildings only visible in close-up views. However, within these views the new 7 storey development on the corner of Segewick/Homerton High Street is considered to dominate the setting of the Listed Building which were once the tallest and grandest in the area symbolising their status. As such the appearance of a building of this scale and massing is considered to detract away from the setting of the listed building as it reduces the prominence of these buildings on this corner.

- 6.3.23 *Conclusions: Impact on the setting of Designated Heritage Assets:* The proposals fail to preserve the setting of the listed buildings as a result of the bulk and massing of the proposals. This level of harm is considered to be at the low end of less than substantial which in turn triggers para 202 of the NPPF (2021) requiring the public benefit to outweigh the harm to heritage assets. In this case, it is considered that there are considerable public benefits including the provision of additional housing, the re-provision of commercial space and the high quality design of the buildings which represent an improvement over the existing buildings. As such, the proposed development is considered to be acceptable in these terms.

- 6.3.24 *Non Designated Heritage Assets:* The locally listed Church Hall is an attractive mediaeval-style Victorian ragstone building with stone dressings and quoins. Hipped slate roof. Double fronted façade with slightly protruding central tower-like feature with the date '1884' at upper level and central front entrance under a Tudor arch. The proposed redevelopment of the site is considered to preserve the setting of the locally listed building as it does not appear on key views of the building.

Landscaping / Public realm / open space / play space

- 6.3.25 Policy LP48 states that “A. *All development proposals for 10 or more residential units must maximise on-site provision of open space and where*

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feasible provide: i. 14 sqm per person of communal open space; and ii. An Urban Greening Factor score of at least 0.4.

B. All major mixed-use or commercial development must maximise on-site provision of open space and where feasible provide: i. 4 sqm of communal open space per employee; and ii. An Urban Greening Factor score of at least 0.3.

C. Where A and B cannot be fully achieved, developments must:

- i) Make physical improvements to the public realm to improve access to existing public open spaces, and*
- ii) Make financial and/or physical contributions towards the provision of new open space, the enhancement of existing public open space or the enhancement of other green infrastructure and biodiversity in the locality.*

D. All new open space should meet the following criteria:

- i. Be provided on site where possible, and*
- ii. Be of high quality, and*
- iii. Be incorporated into the design of the scheme from the outset, and*
- iv. Maximise biodiversity benefits, and*
- v. Be publicly accessible and usable where possible”.*

6.3.26 The GLAs population / child yield calculator estimates a residential population of around 470 for the proposals, with around 62 children, and a requirement for 620sqm of playable space. The LP48 14sqm per person requirement would translate to a communal open space figure of 6,580sqm. The commercial floorspace could generate around 110 employees and a requirement for around 440sqm of space. The combined residential / commercial open space policy requirement of 7020sqm is greater than the application site area itself. The application proposals will deliver 1,350sqm of new public realm in the form of the central publicly accessible courtyard, and 1,475sqm of high quality private shared amenity space for residents, within a series of roof terrace spaces, including 490sqm of playable space. The submitted landscaping strategy shows these terraces to be attractively landscaped, with outdoor seating and meeting space, soft planting and play features in the communal terrace areas. These spaces will therefore be a significant amenity for occupiers of the development, as well as contributing to urban greening and biodiversity. A condition is proposed requiring submission of an access and management strategy for both the public square and private communal terraces. This is to ensure ongoing public access to the square and equitable access for residents to private communal terrace spaces regardless of the tenure type of residential occupiers.

6.3.27 However there would still be a shortfall in open space provision given the number of residents and employees at the site. The applicant proposes to make up for the shortfall in open space provision on site as required by policy LP48 by delivering improvements to the public realm in Sedgwick Street, Digby Road and Homerton High Street surrounding the site. Enhancements comprise new footways to Digby Road and Sedgwick Street with 34 new street trees, shared surface treatment of the carriageway to the southern part of Sedgwick Street, down to the Homerton Station entrance, and rain garden buildouts to the Sedgwick Street footway to incorporate play on the way elements.

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- 6.3.28 These measures will help to deliver a significant improvement to the character and quality of the public realm surrounding the site. Sedgwick Street will be a significantly improved and more attractive arrival experience when traveling from Homerton Station to the centre of Homerton.
- 6.3.29 The public realm improvements would also provide improved connections for older children to larger open spaces such as Victoria Park and the play spaces in the Cassland Estate. As such the opportunities for play both on site, at street level in Sedgwick Street as well as improved connections would accord with the requirements of the GLA playspace SPG and the Council's Child Friendly Places SPG. The financial contribution (£503,000) for public realm improvements will be secured as part of the S106 legal agreement.
- 6.3.30 The proposals will achieve an Urban Green Factor score of 0.4 (the higher standard for residential developments) through soft landscaping to roof terraces, and biodiverse roofs. The proposed courtyard has a more hard landscaped character. This is in response to Design Review Panel comments and so as to maximise potential for outdoor seating and use by the cafe and surrounding commercial units, as well as facilitating pedestrian movement through the space. However some soft landscape elements are proposed within this area to soften this appearance.
- 6.3.31 As such the proposals would deliver a new public realm within the site, as well as significant improvements to the public realm surrounding the site, which enhance the arrival experience into Homerton from the station. The proposals would also deliver a significant urban greening enhancement to the site in comparison to existing. These measures would therefore accord with parts A, B, C and D of policy LP48 and this aspect of the proposals would represent a significant public benefit from the proposals.

Design and conservation conclusions

- 6.3.32 The proposal has been significantly refined and developed over the course of the pre-application and application process. The design of the buildings has responded to the points raised as part of officer and DRP feedback. The development massing has evolved so as to be more responsive to the site constraints and context.
- 6.3.33 Some less than substantial harm has been identified to the setting of nearby listed buildings, conservation areas and non-designated heritage assets. In making this assessment the Council has given special regard to the settings of listed buildings and Conservation Areas in terms of the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.3.34 NPPF paragraph 202 states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*. In this case the proposals for a purpose built, energy efficient office building will maximise the employment potential of the site in this highly accessible, city fringe location,

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which is of importance to the London economy. Provision of a significant amount of affordable workspace will also be of significant benefit to the local economy. In addition the proposals would deliver significantly improved public realm surrounding the site, which would enhance the appearance of surrounding streets, as well as providing improved amenity of workers and residents. These public benefits of the proposals are considered to outweigh the less than substantial harm which has been identified above.

6.4 Impact on amenity of adjoining occupiers

Daylight and sunlight

- 6.4.1 London Plan policy D3 states that development should have regard to the form, character and function of an area and the scale, mass and orientation of surrounding buildings. A daylight and sunlight assessment prepared has been submitted to assess the impacts of the proposal on the daylight and sunlight received by neighbouring buildings.
- 6.4.2 With regards to daylight, the Vertical Sky Component (VSC) method has been used to measure the amount of skylight reaching windows of neighbouring properties. BRE guidelines state that impacts upon daylight of an existing building will be noticeable if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. % reductions in VSC of 30% or more can be considered to result in significant noticeable impacts, whereas reductions in daylight marginally above the 20% threshold will be more minor.
- 6.4.3 VSC is the most suitable method of assessment to understand the degree of change to windows of neighbouring properties resulting from the development. The daylight sunlight assessment also refers to two further methods of assessment. The No Sky Line (NSL) method involves plotting the NSL in affected rooms (when layout of affected properties is known), to understand the proportion of the room, where views of the sky would be visible.
- 6.4.4 A third method of assessing daylight is the Average Daylight Factor (ADF), which involves a detailed calculation of the amount of sky visible at each of the windows serving the room, taking into account a range of factors including window and room sizes. ADF is most appropriately used to assess the levels of daylight within proposed buildings, although ADF can on occasion be used to assess impacts on adjacent developments where these are consented but not yet occupied.
- 6.4.5 With regards to sunlight, the Annual Probable Sunlight Hours (APSH) method has been used to assess the amount of sunlight available within a room. BRE guidelines are for rooms to receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter.
- 6.4.6 It should be noted that BRE guidance is applied with regard to the site context. Factors such as the layout and orientation of adjacent buildings, and the amount of existing development upon an application site can all have significant impacts upon the daylight sunlight assessment. As such in dense inner urban locations, it may not be possible to achieve BRE target criteria if

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development is to take place at a similar scale as others in the surrounding area.

- 6.4.7 Daylight / sunlight impacts to these nearest residential properties were tested as part of the applicants daylight / sunlight / Overshadowing assessment:
- 166 Homerton High Street: Building converted to 6 flats
 - 170-174 Homerton High Street: building comprises a number of flats.
 - 14-15 Mackintosh Lane: Apartment building
 - 2-46 Sedgwick Street: Mixed commercial / residential building granted planning permission in 2005 (see history section)
 - Archer Tower: Residential building situated on the opposite side of the railway tracks to the south, granted planning permission in 2008 (see history section).
 - 68-82 Digby Road: Residential building granted planning permission 2012 (see history section).
 - 71 Digby Road: House
 - 67-69 Digby Road: Live / work units
 - Digby Works: Mixed creche, residential building situated on the opposite side of Digby Road to the south
 - 138-142 Homerton High Street: Three terraced buildings converted to flats
 - 261-285 Bannister House: Residential building situated on the opposite side of Homerton High Street.

166 Homerton High Street

- 6.4.8 The applicants' assessment for daylight states that 34 of 36 windows tested meet BRE guidelines for VSC. The remaining two windows have retained VSC levels between 21-23% VSC which is still a relatively high level of daylight in an urban context. In terms of sunlight all 8 south facing rooms meet BRE guidelines for sunlight.

170-174 Homerton High Street

- 6.4.9 In terms of daylight, 15 of 17 windows tested meet BRE guidelines for VSC. The remaining two windows have retained VSC levels of 18% VSC which is still a reasonable level of daylight in an urban context. For sunlight 7 of 9 south facing rooms meet BRE guidelines. The remaining two rooms meet the guidelines for total APSH, although the winter sunlight requirement is not achieved.

14-15 Mackintosh Lane

- 6.4.10 In terms of daylight, 21 of 23 windows tested would not meet BRE guidelines for VSC, due to reductions in daylight ranging from 25-37%. However all windows would still receive a VSC of 17% or more which is still a reasonable level of daylight in an urban context. In terms of sunlight 6 of 16 rooms receive APSH and winter sun levels in excess of guidelines. 8 Rooms achieve APSH guideline levels but not winter sun targets. A further two rooms narrowly fail to achieve the required APSH.

2-46 Sedgwick Street

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- 6.4.11 In terms of daylight 39 of 123 windows meet the BRE criteria. The remaining windows experience significant reductions with nearly all failing windows experiencing very large reductions of more than 40% up to 85.76% VSC. However a number of factors make achieving BRE target criteria here very challenging. 2-46 Sedgwick Street is a large-scale building between 6 and 12 stories in height, set immediately behind the pavement line of Sedgwick Street, which is a narrow enclosed street. The building also features a number of deep overhanging balconies which mean existing light levels to some windows are relatively low. The daylight sunlight assessment also includes a mirror image comparison, as well as an assessment with balconies of 2-46 removed to allow a full understanding of impacts. The mirror image assessment shows that 52 of 123 windows would meet VSC criteria. This shows that any form of development at the application site is likely to have a significant impact on daylight to 2-46 Sedgwick Street. The 'balconies removed' assessment shows that most windows would still achieve a VSC level of around 15% after the development, which would not be unreasonably low in a dense urban context such as this.
- 6.4.12 A more detailed assessment using the No Sky Line method with balconies removed demonstrates that 73 of 89 rooms would meet the BRE criteria. The remaining rooms would experience relative reductions of 21-52%. They would however retain daylight distribution to around half of their area or more (between 48- 77%).
- 6.4.13 In terms of sunlight 53 of 73 of the southerly orientated rooms would meet the BRE criteria. 19 rooms would retain between 17-24% APSH which is a good level of sunlight when considering the levels typically seen in inner urban areas.

15 Berger Road, Archer Tower

- 6.4.14 In terms of daylight 58 of 163 windows assessed will meet the BRE VSC criteria. The remaining windows experience relative reductions that range between 20-47%. 87 of the windows that fall short of the BRE criteria would retain in excess of 15% VSC (retaining between 16-27% VSC) which is a similar level to that found in surrounding developments.
- 6.4.15 For sunlight, 14 of 17 southerly orientated habitable rooms assessed will meet the BRE criteria. Two of the remaining rooms will experience no reduction in the amount of winter sun received, however will fall slightly short of achieving the BRE criteria for annual sun by retaining 21% and 23% APSH which is only slightly short of the BRE criteria.

68-82 Digby Road

- 6.4.16 In terms of daylight, 32 of 99 habitable windows assessed meet the BRE VSC criteria. The remaining windows experience relative reductions of between 20-88%. 37 of 72 remaining windows will retain at least 15% VSC which is a similar level of daylight to that found in surrounding developments. A large number of the remaining windows are overhung by balconies, which makes achieving VSC target criteria challenging. A 'balconies removed' assessment shows that an additional 8 windows would retain at least 15% VSC. The majority of the remaining windows still have their access to daylight obstructed

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by protrusions such as the stepped facade of the building which means these windows have limited levels of daylight as existing.

- 6.4.17 For sunlight, 14 of 17 southerly orientated habitable rooms assessed will meet the BRE criteria. Two of the remaining rooms will experience no reduction in the amount of winter sun received, however will fall slightly short of achieving the BRE criteria for annual sun by retaining 21% and 23% APSH which is only slightly short of the BRE criteria.

71 Digby Road

- 6.4.18 In terms of daylight, 1 of 6 windows assessed will meet BRE VSC criteria. The remaining windows experience relative reductions that range from 31-40%. However, each of these windows will retain VSC levels in excess of 15% (around 18% VSC) which is a common level within densely developed inner urban growth areas. In terms of sunlight one room has a southerly aspect, and achieves BRE target criteria for ASPH and winter sun.

67-69 Digby Road

- 6.4.19 In terms of daylight all of the 6 windows assessed will meet BRE VSC criteria. One of 3 southerly facing windows does not meet ASPH targets for sunlight.

Digby Works

- 6.4.20 In terms of daylight, 36 of 56 windows assessed meet the BRE criteria. The remaining windows experience relative reductions of between 21 - 42%. Each window will retain over 15% VSC (between 16-26%). No rooms were assessed for sunlight as they do not face within 90 degrees of south.

138-142 Homerton High Street

- 6.4.21 In terms of daylight, 2 of 18 windows assessed will meet the BRE recommendations for VSC. The remaining 16 windows experience relative reductions of between 30-48%. 10 of these will retain at least 15% VSC. Three of the windows that retain less than 15% VSC are blinkered by garden walls. As a result, these windows retain slightly lower levels (between 13-15% VSC). Two further windows are located at lower ground floor level where access to daylight is naturally more limited and therefore retain slightly lower levels 14% VSC).

- 6.4.22 For sunlight, 12 of 15 southerly orientated habitable rooms assessed will meet the BRE criteria for winter and total APSH, which includes all rooms within 138 Homerton High Street. The remaining rooms will comfortably meet the BRE criteria for annual sun (retaining between 36-41% APSH), albeit retaining slightly lower than BRE recommended levels in winter (between 3-4% APSH).

Bannister House

- 6.4.23 In terms of daylight, 70 of 80 windows assessed will meet the BRE recommendations for VSC. The remaining windows all experience obstructions such as overhanging balconies or projecting wings to the building

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which make achieving the target criteria more difficult. In terms of sunlight all rooms assessed for sunlight achieve ASPH and winter sun criteria.

Daylight for future occupiers

6.4.24 The assessment of the original application proposals suggests that 85% of proposed rooms would meet the BRE target criteria for daylight (ADF). This rises to 92% when an assessment is undertaken with proposed balconies removed. The applicants consider this level of daylighting to represent a reasonable level of daylighting, given the dense mixed use characteristics of the proposed development and patterns of development in the surrounding area.

Summary of daylight / sunlight impacts

6.4.25 Officers have had regard to information submitted by the applicants and it is evident that the proposals will have significant and noticeable impacts upon daylight and sunlight of some adjoining buildings. Daylight impacts are particularly significant in relation to 2-46 Sedgwick Street on the opposite side of Sedgwick Street to the application site. As noted above the site is located in a PIA with good public transport accessibility, adjacent to Homerton Overground Station. As such planning policies support some intensification of development in these locations. This can be evidenced by more recent development of surrounding sites such as 2-46 Sedgwick Street and 14 Berger Road, which feature taller buildings between 12 and 14 stories in height. In addition surrounding streets such as Sedgwick Street and Digby Road are narrow in width with buildings abutting the back edge of the pavement. Given this prevailing pattern of development it is considered reasonable for occupiers of adjoining buildings to expect that new development at the application site will be of significant scale and also not set back from the street.

6.4.26 The use of mirror image and assessments with balconies removed, are considered relevant in this instance and provide some indication as to the impacts that will arise if development was to take place at a similar scale to other developments. It is noted that daylight impacts upon 2-46 Sedgwick Street will be greater from the proposed development, in comparison to the mirror image. To a certain extent this is due to the length of the proposed development along Sedgwick Street, in addition to the height and footprint of the proposed tower element. Further more detailed assessment using the No Sky Line method to assess daylight distribution within rooms shows that daylight levels would still be similar to that usually experienced in a dense urban area. As such for the reasons outlined above, officers consider that there will be significant adverse impact to the daylight of neighbouring buildings from the proposals but that these impacts are acceptable given the site context and the pattern of development in the surrounding area. In addition the proposed level of daylight for future occupiers is also considered to be acceptable given the nature of the proposals and the character of the surrounding area.

Overshadowing of outdoor amenity spaces

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- 6.4.27 Impacts of the proposed development on overshadowing of surrounding amenity spaces, including the rear gardens of 138, 140, 142, 166 and 170-174 Homerton High Street, the Creche external amenity space within Digby Works and the communal roof terrace which forms part of the 68-82 Digby Road development. In addition roof terrace amenity spaces within the development have also been assessed. BRE guidelines recommend that at least half of a garden or amenity area should receive at least 2 hours of sunlight on March 21st, or the area which receives 2 hours of direct sunlight should not be reduced to less than 0.8 times its former value.
- 6.4.28 The assessment shows that in the existing situation on 21st March none of the amenity spaces tested, with the exception of the Digby Works Creche space will receive more than two hours of sunlight. This is due to the dense urban form of the surrounding area, and that on 21st March the low sun angle can be obstructed by structures of modest scale.
- 6.4.29 Following the development none of the surrounding spaces will receive the BRE target. The most significant reduction will be to the podium roof terrace space at the rear of 68-82 Digby Road, where the area receiving 2 hours sunlight will reduce from 35% to 9%. The space currently only receives morning sunlight on 21st March, due to the obstruction cast by the 68-82 Digby Road development itself. A further assessment has been undertaken which shows that over half this space will receive at least 5 hours of sunlight on 21st June, when the space is most likely to be used. The outdoor space used by the Digby Works Creche will also experience reductions in sun on the ground so that up to 37% receive 2 hours sun on ground. However parts of this space are currently shaded by 2 large retractable awnings suggesting that an element of shade to protect young children is desirable in this space.
- 6.4.30 An assessment of levels of sun on the ground to open spaces within the proposed development has also been undertaken. 4 out of 6 spaces will meet the BRE target criteria (at least 50% of the space to receive more than 2 hours of sun on the ground on 21st March). The two spaces which do not are the residential podium shared amenity space (39.6%) and the ground level commercial courtyard space (2.4%). However both spaces will receive good levels of sun (at least 5hrs) on 21st June.
- 6.4.31 Overall, given the above factors the impacts of the development on sunlight levels to existing outdoor amenity spaces is therefore considered to be acceptable, given the urban context. Levels of sun on ground for proposed spaces are considered acceptable, given the range of spaces proposed, and that even those more shaded spaces would still receive sunlight, when most heavily used during summer months.

Outlook, Privacy and Overlooking

- 6.4.32 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 that such guidance would have to limit the variety of urban space and unnecessarily restrict density.
- 6.4.33 The closest directly facing residential units are the rear elevation of 138-144 Homerton High Street which faces the north elevation of proposed block E at

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a distance of 13m. In addition 2-46 Sedgwick Street is situated on the opposite side of Sedgwick Street around 16m to the east. Windows within the rear elevation of 68-82 Digby Road are also around 16m from the rear elevation of proposed block A.2 but at a more oblique angle. These levels of separation is considered acceptable given that this is a similar distance in which most other buildings are separated from each other, across generally narrow streets in this area of Homerton.

- 6.4.34 There are some close relationships between windows and balconies within the proposed blocks, particularly the corners of blocks facing into the proposed courtyard. This is particularly acute at the south west corner of block B, where windows and balconies of separate units on levels 1 and 2 face each other at close range. However this level of separation is not dissimilar to other new build developments in the vicinity of the site, for instance Bridge House, which is located at the corner of Homerton High Street and Ponsford Street. As such on balance this level of privacy is considered acceptable given the small number of units affected, the surrounding context, and the overlooking views involve new residential occupiers.

Wind

- 6.4.35 A Wind Assessment has been submitted. This report establishes that, wind levels at ground level near building entrances and the adjacent public realm are expected to be suitable for sitting, standing and walking use even during the windiest season (which are the activities which require the least windy environments according to the Lawson Criteria). In some instances mitigation is required to achieve these levels, for instance at the entrance to the tower (block A) from Sedgwick Street. Wind levels on nearly all areas of the roof terraces and balconies within the development would also not be unduly high, subject to some additional mitigation to the terrace on block A.2 in the form of a solid balustrade. As such wind impacts resulting from the development are considered to be acceptable.

6.5 Transport

Site accessibility & Trip generation

- 6.5.1 The Public Transport Accessibility Level (PTAL) rating of the site is 4-5. The site is adjacent to Homerton Overground Station and has easy access to a number of bus routes on Homerton High Street and Cassland Road. Pedestrian accesses to the different blocks from all surrounding streets. Vehicle access to the loading and servicing area for the light industrial units would enter from Sedgwick Street and exit onto Digby Road.
- 6.5.2 The existing site is estimated to generate 140 two-way trips during the AM and PM peaks. The proposed development is estimated to generate 1123 trips in both the AM / PM peaks. Measures are proposed to encourage transport by sustainable modes, in particular walking and cycling as set out below.

Car Parking

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- 6.5.3 The proposed development is car parking free, and a head of term within the S106 agreement will prevent business and residential occupiers of the development from applying for residents' parking permits. This is in accordance with LP33 policy LP45 and policy T6 (Car parking) of the London Plan. 8 disabled car parking spaces are proposed, with 4 spaces on site accessed from the commercial servicing entrance and the remainder from the are located on Sedgwick Street and Digby Road. This accords with London Plan parking standards (provision for 3% of residential units). This will be secured as part of Public realm / S278 highways works around the site to facilitate Blue Badge parking. Concerns about the balance of on / off site spaces are noted. However, provision of a greater number of off street spaces could have an adverse impact on the amount of available commercial space, the size of publicly accessible courtyard, and / or the amount of ground floor active frontage. As such the proportion of on/ off site disabled car parking provision is considered to strike a reasonable balance between car parking and other planning considerations. The request for provision of Electric Vehicle Charging Points for blue badge spaces is also noted. A condition is proposed to ensure on-site spaces have charging points.

Cycle Parking

- 6.5.4 386 residential cycle spaces are proposed within secure storage areas for each block with 15% of spaces provided as Sheffield stands for oversized cycles. 114 long stay spaces are proposed for the office / industrial units within the basement, accessible via the vehicle service route. 10% of these are Sheffield stands for oversized cycles.
- 6.5.5 The residential cycle parking provision is less than required by LP33 policy targets. This is due to the site constraints and pressure on ground floor space within the development. Provision of a greater number of cycle parking spaces, a greater proportion of cargo bike size or of single tier parking spaces could have an adverse impact on the amount of available commercial space, the size of publicly accessible courtyard, the amount of ground floor active frontage and/or the spaciousness of residential lobbies. In addition the revised proposals have improved the quality of cycle parking provision with a greater proportion of Sheffield stand and cargo bike spaces. The design of the residential cores has been improved, with more spacious lobbies, with direct access into the cycle stores. Given the above factors the amount of cycle parking provision is considered acceptable in this instance, given the competing planning policy requirements

Highway Works and public realm

- 6.5.6 In accordance with LP33 policy LP48 all developments are expected to integrate into the public realm and/or provide contributions to urban realm improvements in the vicinity of the site. The applicants are proposing improvements to the public realm in Sedgwick Street, and Digby Road as noted above. These measures will be secured as part of a contribution in the S106 agreement and S278 agreement. A clause is also proposed to require the applicants to enter into a separate S278 agreement with TfL who are responsible for Homerton High Street, and will require the footway to be reinstated. The Transport officer requests for a sustainable transport

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contribution are also noted. However this is not proposed as a head of term within the S106 contribution, as the above proposed public realm works will deliver walking and cycling benefits. It is also not clear what other impacts from the development would be mitigated by this requested contribution.

Service vehicles including deliveries

- 6.5.7 Servicing of the light industrial units is proposed to take place from a basement servicing area, which has direct access to most of the business units. Two loading bays are proposed (one on Sedgwick Street and one on Digby Road) to meet the requirements of ground floor business and retail units which do not have access to the basement servicing area.
- 6.5.8 Residential waste recycling storage is contained within an area for each block, with on-street collection. Commercial waste / recycling is stored at the basement level adjacent to the service area. Waste / recycling will be brought up to the ground floor service route by tow tractor when required for collection. Full details of deliveries and servicing will be secured through the recommended Delivery Servicing Plan. Subject to these measures the proposed servicing arrangements are considered acceptable.

Construction Logistics Plan

- 6.5.9 Given the nature of the proposed development, within a dense urban location with complex access arrangements, a Construction Management Plan is required and will be conditioned, with a fee of £8,750 for CLP/CLOCS monitoring to be secured through the S106 agreement. This will help to mitigate the negative impact on the surrounding highway network.

6.6 Biodiversity / Urban greening / trees / Sustainable Drainage

- 6.6.1 London Plan Policy G5 states that proposals should include urban greening as a fundamental element of the design process, incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage and requires major applications to calculate an Urban Greening Factor.
- 6.6.2 In line with London Plan policy G5 and LP33 policy LP48, the applicant has provided an Urban Greening Factor calculation demonstrating that the scheme will achieve an Urban Greening Factor of 0.4, which is compliant with the target of 0.3 for commercial and 0.4 for residential developments. Urban greening will be achieved on the site through the landscaping to the roof terrace and courtyard areas, including planters with shrub and tree planting, and climbing planting where suitable. In addition green / biodiverse roofs are proposed, and the proposed public realm improvements to Sedgwick Street include new tree planting and playable rain gardens. As such the proposals would incorporate appropriate amounts of soft landscape and urban greening features, which would go beyond provision often seen as part of other developments in the surrounding area, in accordance with policies G5 and LP48. In addition these measures would address the comments from Natural England which seek on-site provision of open space, to reduce demand for travel to other SANG sites.

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- 6.6.3 Three street trees (Plane Trees) are located in Sedgwick Street adjacent to the development. The proposals confirm that these are to be retained and proposed building setbacks from the footway will allow additional space for tree canopies. No details have been provided as to how these will be protected during construction works. As such a condition is proposed to secure submission of an Arboricultural Impact Assessment and Method Statement for tree protection.

Biodiversity

- 6.6.4 London Plan policy G6 and LP33 policy LP47 states that development should protect and where possible enhance biodiversity and lead to a net gain. An ecological appraisal has been submitted stating that the site as existing has limited potential as habitat for bat roosts. A condition is recommended requiring no demolition during the bird nesting season to limit potential impacts on bird species such as this.
- 6.6.5 In addition the proposals incorporate 15 bird, bat boxes and bug hotels across the site. The proposed landscaping and tree planting with an emphasis on species which support pollinators will also contribute towards enhancing the biodiversity value of the site. As such the proposals will deliver a net biodiversity enhancement in comparison to the existing situation and the details of the proposed measures will be secured by condition.

Drainage

- 6.6.6 A Sustainable Drainage Strategy has also been submitted which prioritises retention of surface water on site. Infiltration drainage into the ground has been ruled out due to below ground conditions with clay. As such the strategy proposes to attenuate rainwater at source where possible through use of blue roofs. Below ground attenuation tanks are proposed beneath the servicing access road. These measures will reduce surface water runoff to green field rates. As such the proposals accord with the Sustainable Drainage Hierarchy which seeks to retain surface water as close to source as possible, and slow run-off rates to green field levels. Conditions are required to ensure that the drainage systems are installed in accordance with the strategy.

6.7 Sustainability

- 6.7.1 LP33 policy LP55 Mitigating Climate Change, and London Plan policies SI2, SI3 and SI4 require all new developments to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability. Policy LP55 states that all non-residential developments must achieve the BREEAM 'Excellent' rating (or an equivalent rating under any other system which may replace it) and where possible achieve the maximum number of water credits, and must be built to be zero-carbon. Where it can be robustly demonstrated that it is not possible to reduce CO2 emissions on-site by the specified levels, carbon off-setting payments will be required and secured via legal agreement.
- 6.7.2 The proposed energy strategy includes energy efficiency measures, including a range of passive design features and demand reduction measures such as

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good fabric insulation, high quality glazing; improved air tightness; energy efficient lighting; and Mechanical Ventilation Heat Recovery for residential units.

- 6.7.3 A site wide system is proposed comprising Air Source Heat Pumps (ASHP) and Water Source Heat Pumps (WSHP). Finally, renewable technologies in the form of photovoltaic panels will be provided on the roof, which will help to meet electricity demand.
- 6.7.4 These measures would achieve a 43% reduction in CO2 emissions. The shortfall to zero carbon is currently estimated as £319,865 (to be secured by legal agreement). This assumes 35 tonnes of CO2 per annum at a cost of £95 per tonne and for a period of 30 years, to be secured via a S106 agreement. The development is also projected to achieve a BREEAM Excellent rating.
- 6.7.5 The London Plan 2021 also introduces a new 'be seen' requirement to the energy hierarchy, to secure submission of information with regard to ongoing monitoring of building performance. A condition is proposed to meet these requirements.
- 6.7.6 The Energy Assessment has been subject to scrutiny by GLA officers and is considered to broadly accord with policy requirements, as well as "lean, clean, green, seen" energy hierarchy. However GLA officers requested the recommended conditions in respect of the circular economy and whole life carbon.
- 6.7.7 As such, subject to a number of conditions to secure the measures within the strategy (conditions regarding biodiverse roofs, air permeability, zero carbon materials, PV array, monitoring 'be seen'), the proposals are considered acceptable in terms of London Plan and LP33 sustainability policies.

6.8 Pollution

Noise

- 6.8.1 Policy LP58 states that new development will need to demonstrate that it would not result in adverse noise impacts upon nearby sensitive uses. London Plan policy D13 states that the 'Agent of Change Principle' places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.
- 6.8.2 The proposed development is located adjacent to a residential building currently under construction, and the potential for disturbance from visits to and from the development have been considered. Whilst the development does include light industrial uses with potential to generate noise, the surrounding area is designated as a Priority Industrial Area where noise can be expected. Servicing of the light Industrial units will take place internally within an enclosed service area which will help to prevent noise breakout and disturbance to neighbouring occupiers. Plant and machinery is proposed within the new development including Air Source Heat Pumps at roof level. A condition is proposed to ensure noise levels from mechanical equipment is within acceptable limits.

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6.8.3 In addition the submitted noise report demonstrates that the proposed residential units will be sufficiently separated and insulated from the proposed commercial uses at the site, and adjacent noise sources such as the Overground Railway line, that internal noise levels will comply with required standards. The proposed residential units will also benefit from MVHR which will allow the residential units to be cooled and ventilated without the need for opening windows.

6.8.4 As such the proposals have been designed to mitigate noise impacts such that it should not lead to noise complaints from future occupiers with regard to proposed and other nearby commercial uses. As such the proposals are acceptable both in terms of noise impacts upon adjacent and future occupiers, and will accord with the Agent of Change principle within London Plan policy

Ground and air pollution

6.8.5 A contaminated land assessment has been submitted and reviewed by pollution officers. They have confirmed that risks to human health from contaminated land can be adequately managed through appropriate planning conditions. In addition an Air Quality Assessment has been submitted. The application proposals are car free and promote transport by sustainable means. NO₂ / particulate emissions from plant and machinery will also be minimal and the development will therefore be air quality neutral when complete. Air quality impacts during the construction phase can be mitigated through the Demolition / Construction Method Statement / Logistics Plan.

6.9 Waste

6.9.1 waste storage facilities are proposed within the basement for commercial uses, and will be brought up to the off street ground floor servicing area for collection at appropriate times. Residential bin storage areas are proposed to be easily accessible from surrounding streets. Full details will be secured through an Operational Management Plan / Delivery Servicing Plan, required by condition.

6.10 Fire Safety

6.10.1 London Plan policy D12 states that *“All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. The statement should detail how the development proposal will function in terms of:*

- 1) the building’s construction: methods, products and materials used, including manufacturers’ details*
- 2) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach*
- 3) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans*
- 4) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these*
- 5) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building*

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6) *ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures”.*

6.10.2 A Fire Strategy for the development has been submitted which includes evacuation strategies, measures to prevent internal and external fire spread, and access for fire service vehicles and personnel. The submitted Strategy sets out how all these factors can be addressed in the detailed scheme design, so that the proposals can accord with relevant Building Regulations. GLA officers consider that the submitted information is in accordance with policy D12 and final details can be secured by condition.

6.11 Hackney Works local labour scheme

6.11.1 The legal agreement for this application will also include a number of commitments and financial contributions in connection with the Hackney Works local labour scheme. 106 of the Town and Country Planning Act. The applicants will be required to submit an Employment and Skills Plan (ESP) for both the construction and operational phases of the project. In the construction phase this will include targets for hire of around 42 apprentices (1 apprentice per £2,000,000 of construction value), and accreditation as a considerate constructor. A financial contribution towards delivery of the ESP in the construction phase is also required, in accordance with the formula with the Planning Contributions SPD (£119,403).

6.11.2 In the operational phase financial contributions towards delivery of the Employment and Skills Plan and incorporation of local labour are also sought for the operational phase, in accordance with the formula within the Planning Contributions SPD (£34,452).

6.12 Community Infrastructure Levy (CIL)

6.12.1 The proposal is liable for a Community Infrastructure Levy (CIL) as it involves new build floor space of over 100m² as well as one or more new dwellings. The application is liable under both the London Mayoral CIL and Hackney CIL Charging Schedules. The proposal involves office / light industrial (3769sqm GIA), retail / cafe (729sqm GIA) and residential (15,572sqm GIA). The existing buildings on the site have a GIA of 6155sqm. The proposed affordable housing is 4294sm GIA and may be able to receive relief from CIL.

6.12.2 The London Mayoral CIL Charging Schedule 2 (MCIL2) sets a rate of £60 per sqm for office, retail and residential floorspace in Hackney. Based on the total net chargeable floor space of 20,070sqm the development is liable for a CIL of £834,900 under the London Mayoral CIL Charging Schedule, with a potential affordable housing relief of £178,627.83.

6.12.3 The Hackney CIL Charging Schedule has a rate of £25 per sqm of residential floorspace in zone B (which includes Homerton) and a £0 rate for offices and retail in this area of the borough. Based on a net chargeable area of 20,070sqm the development is liable for a CIL of £269,910.75 under the Hackney CIL Charging Schedule with a potential affordable housing relief of £195,482.49.

6.13 Equalities Considerations

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6.13.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.13.2 Comments with regard to the adverse impact on communities with protected characteristics due to the loss of a place of worship from the development are noted. The applicant has confirmed that the unauthorised churches which occupied part of the site have already vacated their premises and moved to an alternative location, although conversations between the Planning department and the church have not managed to confirm this. This would mean that the redevelopment proposals will not leave the church uses without a premises to operate from, although it has been suggested by Planning officers to the one church leader that did contact us that they could be put in contact with the Council's Regeneration Team to discuss alternate premises if they are still looking for a site to move to. As such, having regard to the duty set out in the Equality Act 2010, the development proposals are not considered to raise any equality issues.

7 CONCLUSION

7.1 The proposal complies with pertinent policies of the Hackney Local Plan 2033 (LP33), the London Plan (2021). The granting of full planning permission is recommended subject to conditions and the completion of a legal agreement, and referral to the GLA.

8 RECOMMENDATIONS

Recommendation A

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

Time limit / development in accordance with approved plans / genuine pre-commencement

8.1.1 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.

8.1.2 SCB1 - Commencement within three years

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

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

8.1.3 Contaminated land (pre-development)

Development will not commence until physical site investigation work has been undertaken and fully reported on; with a plan being 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. Moreover, development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development remediation report has been produced to the satisfaction of and approved in writing by the Planning Authority. Work shall be completed and reported 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. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

REASON: To ensure that potential contamination risks are identified and suitable remediation is agreed.

8.1.4 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.

1. 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);
2. The operation of the site equipment generating noise and other nuisance causing activities, audible at the site boundaries or in nearby residential properties shall only be carried out between the hours of 08:00 – 18:00 Mondays-Fridays, 08:00-13:00 Saturdays and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority;
3. The best practical means available in accordance with British Standard Code of Practice BS5228-1:2009 shall be employed at all times to minimise the emission of noise and vibration from the site;
4. 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
5. 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

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generation and effects on the highway network; details of parking suspensions (if required) and the duration of construction

6. A dust management plan to include details of how dust from construction activity will be controlled / mitigated / suppressed 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. Upon demand a monthly monitoring report should be sent to the council for review.

REASON: In the interests of public safety and amenity and to ensure noise and air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the course of building works.

8.1.5 – Notice to Rail for London

No part of the development shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to Rail for London (RfL).

REASON: : To protect the safe operation of the railway.

8.1.6 – Asset Protection Agreement

Prior to commencement of the development the applicant will enter into an Asset Protection Agreement with Rail for London (RfL) to ensure that the development is carried out safely and in accordance with RfL's requirements.

REASON: To protect the safe operation of the railway

8.1.7 – RfL: Works adjacent to the Railway

No works of excavation, demolition or construction are to be carried out until the details of such works have been submitted to and approved by the Local Planning Authority and Rail for London (RfL). These details should comprise:

1. Site clearance;
2. Geotechnical report for the site;
3. Foundation design and construction methodology (including excavation, verified calculations, risks assessments and method statements);
4. Details of any temporary works and all equipment planned to be used in construction;
5. Crane / Lifting Management for any cranes/ plant/ HAIB proposed to be used. This would typically include base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational procedure (including any radio communications), jacking up, derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius;
6. Demonstration that the development shall be carried out in accordance with Railway for London's document entitled 'Special Conditions for Outside Parties developing on or near the railway';
7. Providing a reflected glare assessment to confirm there shall be no impact to Railway operations during or after the completion of the Development.

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

REASON: To protect the safe operation of the railway.

8.1.8 Archaeology WSI

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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 development except for demolition of standing buildings to ground level and associated works up to the internal face of basement slab and walls (but excluding the basement slab or walls which may not be removed) 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 secure the provision of archaeological investigation and the subsequent recording of the remains prior to.

8.1.9 Circular Economy (Pre Occupation)

No development shall take place until a detailed Circular Economy Statement and Operational Waste Management Strategy in line with the GLA's Circular Economy Statement Guidance is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

REASON: In the interests of sustainable waste management and in order to maximise the re-use of materials

Prior to commencement (relevant part):

8.1.10 Detailed elevation drawings

Prior to the commencement of above ground works for the development, detailed elevation and sections (scaled 1:5, 1:10 and 1:20) shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include the following details: Facing materials; cladding system; joints and interfaces of all materials; doors; windows; window surrounds and reveals; entrance canopies; gates, railings; parapets; plant room enclosures; signage; shopfronts; wind mitigation canopy; surfacing to ground and roof terraces. The development shall not be carried out other than in accordance with the details as approved, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that the external appearance of the development is satisfactory.

8.1.11 Details of materials / Mock up panel

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

- A. On site 1:1 mock-up of each proposed brick application, with red line drawing provided to show location in facade of mock-up;
- B. Material samples of all externally appearing features submitted for approval, on request;
- C. Provision of a detailed materials sheet showing the location of materials, their manufacturer and product reference and precedent photographs.
- D. The submitted details shall include bricks, and not brick slips.

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

8.1.12 Fire Strategy

A full Fire Strategy shall be submitted prior to commencement of the development (excluding demolition) demonstrating in detail how the measures in the Fire Strategy prepared by Hydrock Consultants Limited will be implemented into the design of the building.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with London Plan Policy D12.

8.1.13 Sustainable Drainage

Prior to commencement of the relevant part of the development the applicant shall submit, and have approved in writing by the Local Planning Authority, construction details (including cross-sections), full specifications, a drainage layout and a site-specific management and maintenance plan for following. The approved details shall be installed prior to first occupation of the development:

- (a) Green/blue roof with a substrate depth of between 80 and 165mm, not including the vegetative mat.
- (b) Below ground attenuation system
- (c) Flow control system
- (d) Surface water from the site shall be managed according to the proposal referred to in the Flood Risk Assessment & SuDS Strategy Report agreed otherwise

REASON: To ensure sustainable drainage and mitigate flood risk

8.1.14 Secured by design

Prior to commencement of the relevant part of the development, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve as many 'Secured by Design' Accreditation requirements as possible. The development shall only be carried out in accordance with the approved details.

REASON: In order to reduce opportunities for crime, and to safeguard the security of future occupiers and users of the development.

8.1.15 Zero global warming materials.

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Prior to commencement of the relevant phase of construction, the selection of insulation and refrigerant materials to have a low or zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP), shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of addressing climate change and reducing greenhouse gases.

8.1.16 Arboricultural Method Statement / Tree Protection Plan

A detailed Arboricultural Method Statement and Tree Protection Plan detailing how foundation construction techniques will safeguard the Root Protection Areas of nearby trees and how they will be protected during construction, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The measures identified in the Method Statement shall be implemented in full during the construction works associated with each phase of the development.

REASON: In order to safeguard the trees which are an important amenity feature in the surrounding area.

Prior to occupation:

8.1.17 Biodiversity enhancements

Details of Biodiversity enhancements including bird / bat boxes and provision for invertebrates, shall be submitted to and approved in writing by the local planning authority, prior to the first occupation of each building or part of a building or use hereby approved. The approved details shall have been fully implemented prior to first occupation of the development.

REASON: To provide potential habitat for local wildlife.

8.1.18 Landscaping

A hard and soft landscaping scheme illustrated on detailed drawings, shall be submitted to and approved by the Local Planning Authority, in writing, prior to occupation of the development. Details shall include: - soft landscaped areas to roof terraces; hard landscaping to roof terrace areas, play space provision, hard / soft landscaping details to ground floor areas within the application site; tree planting; details of bio-diverse green / brown roofs and walls; lighting strategy; and details of boundary screening to shared amenity spaces. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the occupation date or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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.

8.1.19 Cycle Parking

Prior to the first occupation of the development, details of the secure bicycle storage facilities for 562 bicycles (386 residential long stay, 114 commercial long stay, plus 62 visitor cycles) including layout, stand type and spacing, shall be submitted to and

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approved in writing by the Local Planning Authority. Such details as approved shall be implemented prior to the occupation of the development and shall thereafter be retained, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for occupants and visitors.

8.1.20 Contaminated land (pre-occupation)

Prior to the first occupation of the development, a post-development verification report will be produced to the satisfaction of and approved in writing by the Local 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 a report 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 Local 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 Local Planning Authority or Contaminated Land Officer.

REASON: To ensure that the application site and all potentially contaminated land has been remediated to ensure contamination risks at the site are suitably dealt with.

8.1.21 PV system

Prior to the first occupation of the development, a report by an accredited PV installer confirming that arrays covering a minimum of 498sqm and generating a minimum of 62kwp have been installed, with any shortfall object of alternative compensation measures or an increased carbon offset payment, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development is adequately sustainable and contribute towards local, regional and national commitments to a net-zero carbon emission future.

8.1.22 Delivery and Servicing Plan / Operational Management Plan

Prior to the first occupation of the development a Delivery and Servicing Plan shall be submitted to and approved by the Local Planning Authority setting out:

- (a) Frequency of deliveries per day/week
- (b) Size of vehicles
- (c) How vehicles would be accommodated on the public highway
- (d) Waste / recycling / storage and collection arrangements

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).

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8.1.23 Waste and recycling facilities

Prior to the first occupation of the development, waste and recycling facilities shall be provided in accordance with the details contained within the approved drawings.

REASON: To ensure adequate provision is made for the storage of refuse and recycling in the interests of amenity.

8.1.24 Drainage strategy verification

Prior to the first occupation of the development, evidence (including as-built drawings, photographs, post construction surveys) and a final completion statement signed off by an appropriate, qualified, indemnified engineer shall be submitted showing that the drainage system has been constructed as per the approved designs and in accordance with best practice. The hereby approved drainage measures shall be retained and maintained thereafter.

REASON: To ensure sustainable drainage and to mitigate flood risk

8.1.25 Measures to prevent overlooking from terraces towards nearby residential units

Prior to first occupation of the development, details of boundary treatments to prevent undue overlooking from roof terraces / balconies between residential units B.1.04 and B.2.04 shall be submitted for approval to the local planning authority. The approved details shall be installed prior to first occupation and retained and maintained thereafter.

REASON: To prevent undue overlooking and loss of privacy to neighbouring residential units.

8.1.26 Open Space / Amenity space management and access strategy

Prior to first occupation of the development a management and access strategy shall be submitted for approval to the local planning authority. The strategy shall set out the publicly accessible areas of the site and the times of day at which these are accessible; access arrangements for all communal private amenity terraces to ensure equitable access for different housing tenure types; security and management arrangements for the courtyard and terraces including gates and railings, The development shall be operated at all times in full accordance with the approved strategy.

REASON: To ensure that publicly accessible open spaces and private communal amenity spaces are accessible, and appropriately managed.

8.1.27 Thames Water Housing Infrastructure Plan

No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

Post-occupation:

8.1.28 BREEAM Assessment

Within 12 weeks of occupation of the development hereby approved, a BREEAM post-construction assessment (or any assessment scheme that may replace it) confirming an 'Excellent' rating for commercial floorspace (or another scheme target of equivalent or better environmental performance) has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.29 Building Management Systems monitoring 'be seen'

In order to demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan, the legal Owner shall at all times and all in all respects comply with the energy monitoring requirements set out in points a, b and c below. In the case of non-compliance the legal Owner shall upon written notice from the Local Planning Authority immediately take all steps reasonably required to remedy noncompliance.

a. Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.

b. Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.

c. Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each reportable unit of the development as per the methodology outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document. All data and supporting evidence should be uploaded to the GLA's monitoring portal. This condition will be satisfied after the legal Owner has reported on all relevant indicators included in Chapter 5 'In-use stage' of the GLA 'Be Seen' energy monitoring guidance document for at least five years.

REASON: In order to ensure that actual operational energy performance is minimised and demonstrate compliance with the 'be seen' post-construction monitoring requirement of Policy SI 2 of the London Plan.

8.1.30 Circular Economy (Post Occupation)

Prior to the occupation of the residential units, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at:

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circulareconomystatements@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

REASON: In the interests of sustainable waste management and in order to maximise the re-use of materials.

8.1.31 Whole Life Carbon

Prior to the occupation of each building the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the relevant building.

REASON: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

Compliance conditions:

8.1.32 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.

8.1.33 Noise from plant and machinery

Noise levels from fixed plant and machinery associated with the proposed development shall be 5dB(A) or more below the background noise level when measured at any nearby noise sensitive premises at any time.

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

8.1.34 Development in accordance with energy strategy

The measures identified in the submitted Energy and Sustainability strategy (and any subsequent revisions / addendum) shall be incorporated prior to occupation of the development.

REASON: In order for the development to demonstrate an adequate response to climate change and climate change adaptation.

8.1.35 Disabled car parking

Prior to first occupation / use of the development, 4 on site disabled car parking spaces (1 space to be equipped with active Electric Vehicle Charging Point and

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remaining spaces to be equipped with passive Electric Vehicle Charging Points) shall be made available for use by blue badge holders resident within the development. The spaces shall remain available for use thereafter.

REASON: In order to ensure adequate disabled car parking provision, and to reduce air quality / carbon emissions from car travel.

8.1.36 Building Regulations M4(2)

Building Regulations M4(2) All dwellings within the development (except those completed to M4(3) requirements) hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4(2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

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

8.1.37 Building Regulations M4(3)

A minimum of 20 units 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, unless otherwise agreed in writing with the Local Planning Authority.

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

8.1.38 Bird Nesting Season

No demolition will take place within the bird nesting season (March to August each year).

REASON: To limit potential impacts on bird species.

8.1.39 - Use as light industrial workspaces only

The units shown as 'commercial' or 'artist studio' units (described as 'B1C') on the drawings hereby approved shall be used only as light industrial units (Use Class E(g)(ii) or Use Class E(g)(iii)) and for no other use which for the avoidance of doubt shall include other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 or such relevant provision as from time to time may be in force, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect against an unacceptable loss of office space from the site, in line with the aims of local and regional planning policy.

8.1.40 - Use as offices or light industrial workspaces only

The units shown as 'office/commercial' units (described as 'B1A/B1C') on the drawings hereby approved shall be used only as offices or light industrial units (Use Class E(g)) and for no other use which for the avoidance of doubt shall include other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 or such relevant provision as from time to time may be in force, unless otherwise agreed in writing by the Local Planning Authority.

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REASON: To protect against an unacceptable loss of office space from the site, in line with the aims of local and regional planning policy.

8.1.41 – RfL: Glare from External Lighting

Permanent external lights and those installed during the construction period shall not shine directly onto Railway For London's property.

REASON: To protect the safe operation of the railway.

Recommendation B

- 8.2 That the above recommendation be subject to a legal agreement being entered into under section 106 Town and Country Planning Act 1990 and other enabling powers in order to secure the following matters to the satisfaction of the Council:
1. Agreement will be made under Section 278 of the Highways Act and will require payment of a highway contribution to enable the Council to reinstatement of footways and carriageways surrounding the site. The estimated cost of works is to be confirmed and the committee will be updated in due course.
 2. Requirement for applicants to enter into S278 agreement with TfL for reinstatement of Homerton High Street footway.
 3. Financial contribution to the Council to deliver public realm enhancement works surrounding the site including Sedgwick Street and Digby Road £503,000.
 4. Employment and Training contribution to support training, employment and local procurement during construction of £119,403.
 5. 42 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 (£82M), with a support fee of £1500 per apprentice (£63,000)
 6. Commitment to the Council's local labour and construction initiatives including Employment & Skills Plan
 7. Employment and Training contribution to support training, employment and local procurement during operation of £34,452.
 8. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
 9. Adoption and compliance with Travel Plan and Travel Plan Monitoring fee of £4000.
 10. Car Free - Future residents and business occupiers to be ineligible to apply for parking permits for the local Controlled Parking Zone (CPZ) (with the

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exception of disabled residents).

11. Construction Logistics Plan / Construction Logistics and Community Safety (CLOCS) monitoring fee of £8,750
12. Carbon Offset Contribution of £319,865
13. Affordable workspace provision of 377sqm at around 60% of market rates and submission and approval of Affordable Workspace Statement along with measures to monitor the provision of the workspace moving forward (the precise amount of discount is currently under discussion and will be confirmed in due course, with members updated).
14. Financial contribution towards CCTV in the surrounding public realm of £91,000.
14. Financial contribution towards improvements to lighting of the Homerton Station underpass of £20,000.
15. Financial contribution towards provision of a car club space with Electric Vehicle Charging Point of £10,000.
16. Car Club membership for future occupiers.
16. Provision of 28 intermediate and 34 affordable rent affordable housing units.
17. Affordable housing viability early and late stage review mechanisms.
18. 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 prior to completion of the Legal Agreement.
19. S106 Monitoring costs payable prior to completion of the Legal Agreement.

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 legal agreement as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

9 INFORMATIVES

- 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



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- SI.25 Disabled Person's Provisions
- SI.27 Fire Precautions Act
- SI.28 Refuse Storage and Disposal Arrangements
- SI.34 Landscaping
- SI.45 The Construction (Design & Management) Regulations 1994
- SI.48 Soundproofing

NSI - Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line 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 - The applicant must seek the continual advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.nw@met.police.uk or 0208 733 3465.

Signed..... Date.....
Aled Richards – Director, Public Realm

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website. Policy/guidance from other authorities/bodies referred to in	Nick Bovaird Planning Officer (Major applications)	2 Hillman Street, London E8 1FB



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	<p>this report are available for inspection on the website of the relevant authorities/bodies Other background papers referred to in this report are available for inspection upon request to the officer named in this section. All documents that are material to the preparation of this report are referenced in the report</p>	020 8356	
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