

ADDRESS: 234 - 238 Mare Street, Hackney, London, E8 1HE	
WARD: Homerton	
APPLICATION NUMBER: 2020/3055	REPORT AUTHOR: Nick Bovaird
DRAWING NUMBERS: 00001, 00010, 00011, 00012, 00013 Rev 1, 00020, 00021, 00030, 10010 Rev 3, 10011 Rev 2, 10012 Rev 1, 10013 Rev 1, 10014 Rev 1, 10020 Rev 1, 10030, 20000 Rev 2, 20001 Rev 2, 20002 Rev 2, 20003 Rev 2 50000 Rev 2, 50001 Rev 2, Planning Submission (Design and Access Statement) Issue 2 by Weston Williamson+Partners, Planning Statement, Planning Statement Addendum 18/01/2021, Heritage Statement, Transport Statement, Daylight and sunlight report dated 28 September 2020 by Hollis, Building Survey dated September 2015 by EC Harris, Feasibility Report on Rooftop Extensions Issue 2 September 2020 by Michael Barclay Partnership, 4384-4-2-REP-Energy Statement Report-B dated 28thSeptember 2020 by Vector Design, Archaeological Desk Based Assessment August 2020 Revision by Compass Archaeology, Arboricultural Method Statement dated 21 September 2020 by Arbtech, Arboricultural Impact Assessment plan, Tree Protection Plan, Air Quality Assessment 3686/AQ/092020 dated September 2020 by Lustre Consulting, Noise Assessment 3686\NA\092020 dated September 2020 by Lustre Consulting, Commercial Market Report by Strettons, Financial Viability Assessment by Strettons, Disposal and Marketing Report by Strettons	VALID DATE: 03-11-2020

<p>AGENT: Ashleigh Cook Iceni Projects Da Vinci House 44 Saffron Hill E8 1DY</p>	<p>APPLICANT: London Borough of Hackney, Strategic Property Services Hillman Street, E8 1DY</p>
<p>PROPOSAL: Erection of two storey rear and single storey roof extensions to provide 9 residential units and ground floor office use (Use Class E(g)); elevational alterations and landscaping to include cycle store to rear.</p>	
<p>POST SUBMISSION REVISIONS:</p> <ul style="list-style-type: none"> • Amendments to elevations, principally to the design of the mansard; • Changes to cycle storage to provide single tier stands. <p>Owing to the small scale of these changes, which would not impact significantly on the neighbouring amenity, it was considered unnecessary to further consult with neighbours.</p>	
<p>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and legal agreement.</p>	
<p>NOTE TO MEMBERS: This application is presented to the Planning Sub-Committee as it is a 'Council Own' application for over 100m2, a change of use and over 5 residential units.</p>	

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
CPZ	Yes	
Conservation Area	Yes	
Listed Building (Statutory)		No
Listed Building (Local)		No
Priority Employment Area		No

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	E	Citizens Advice Bureau (ground floor), Ancillary Offices (1st/2nd)	609
Proposed	E(g) C3	Office/Workspace Residential (9 units)	140 711

RESIDENTIAL USE DETAILS:	Residential Type	No. of Bedrooms per Unit				Totals
		1	2	3	4+	
Type						
Private	Flats	6		1		7
Private	Houses			2		2
Totals		6		3		9

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	18 Residential 2 Office 3 Visitor

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 The site is located on the eastern side of Mare Street, at the junction with Paragon Road. It contains a three storey building in Class E use, formerly a Citizen's Advice Bureau at the ground floor with ancillary offices above. The building was refronted and extended in the Edwardian period but was constructed alongside the rest of the three storey, Grade II listed, Georgian terrace that it abuts to the south.
- 1.2 The site is within the Town Hall Square conservation area and sits just south of the southeastern corner of the square, with the five storey library building across Mare Street to the west and the Hackney Picture House across Paragon Road to the north. A recent three storey house borders the site to the east on Paragon Road. An access route forms the eastern boundary of the site, with the grounds of the Urswick School beyond. In townscape terms the massing of buildings in the locality is mixed, ranging from 3 to 5 storeys in a variety of typologies.
- 1.3 The application site is not located in a Priority Office or Industrial Area (POA or PIA). It is located within an Archaeological Priority Area. The site has a PTAL rating of 6b which indicates an excellent level of public transport accessibility and it is within a controlled parking zone (CPZ).

2.0 Conservation Implications

- 2.1 The buildings on the site are a Non Designated Heritage Asset and are positive

contributors within the Town Hall Square Conservation Area. The site does not contain a statutorily listed building but it forms the northern end of a terrace that is otherwise Grade II listed, Nos.222-232 Mare Street. The buildings sit within the context of the Grade II listed Town Hall and gardens, facing the locally listed former Library across Paragon Road.

3. History

3.1 No relevant planning or enforcement history.

4.0 Consultation

4.1 Date Statutory Consultation Period Started: 10th March 2021.

Officer's Note: Consultation occurred initially in November 2020. The later date referred to above reflects that letters were sent to the Hackney Picture House and The Urswick School on 10/3/2021, since they did not receive letters in the original consultation.

4.2 Date Statutory Consultation Period Ended: 31st March 2021

4.3 Site Notices: Yes.

4.4 Press Advert: Yes

4.5 Neighbours

40 Neighbour notification letters were sent, a site notice was erected and an advertisement placed in the Hackney Gazette. Three objections have been received to date (05/03/2021). The objections were made on the following grounds and are considered in the report that follows:

- Impact of the proposal on the character of the building;
- Impact of the proposal on the amenity of neighbours, particularly in respect of the overlooking of neighbouring gardens;
- Loss of green space within the existing garden;
- An elderflower tree was cut down at the rear last year;
- The property has been left to decay while it has been inhabited by property guardians;
- The property is not vacant, it is occupied by property guardians;
- Application form has 'Draft: not valid for submission' across it;
- Neighbours have approached Hackney in respect of the application and have not heard back;
- Use of the alley behind the site by the owners/occupiers of 234-238 Mare Street is contested.
- The scheme proposes the demolition of a party wall and party boundary wall.

- The proposal is for commercial units at ground floor level. These are purely given as a mixture of possible uses, whether they be office, restaurant or retail is not determined.

4.6 Statutory / Local Group Consultees

4.6.1 Historic England: Archaeology:

No objection, subject to securing by condition the archaeological watching brief recommended in the applicant's submission.

4.6.2 Central and South Hackney Conservation Area Advisory Committee:

Objection to this application, the main concern is the over massing and dominance of the proposed 3rd floor. The current scheme design is bulky and out of proportion with the profile of the existing facades which will be very prominent from various historic buildings along Mare Street. The colouring of the brickwork on the Paragon Road façades conflicts with the front façade of the building and the former ambulance station.

4.6.3 Hackney Society

The proposed site represents an early twentieth century remodelling of the end of the Georgian terrace. The proposal adds distinct and unrelated elements to a building that has already suffered from awkward alterations. The Paragon road elevation to the existing building should now be left as it is.

The roof extension is an overly contemporary interpretation of a mansard roof. In pink zinc, and inappropriately lofty, it shouts its presence too loudly above the already complicated building.

The proposed rear elevation, which would have its closet wings removed, leaves the remaining sash windows lost in a sea of wall above an inexplicable grey and pink zinc pergola.

The new houses fronting Paragon Road should accept their status as an extension to the existing 2015 three storey block of flats to their east and be built in matching brick, with matching details.

The proposals fail to achieve sufficient architectural coherence to be worthy of the very visible corner location in the heart of the Town Hall Square Conservation Area. The proposals do not preserve the Conservation Area.

4.7 Council Departments

4.7.1 Transportation: No objection, subject to a legal agreement ensuring future residents would not get access to parking permits, along with conditions in respect of cycle parking and a construction management plan. Given the scale of the development, no Travel Plan is required.

4.7.2 Waste: Residents to put their waste and recycling bags onto Mare Street 6.30 to 07.30 and 17.15 to 18.15, 7 days a week. The ground floor office space requires a

total of 365 litres of waste and recycling storage. Two 240 litre wheelie bins will be sufficient. The offices will need a commercial waste contract and the cost of hiring the bins and the service can be determined before occupation of the commercial space. A dropped kerb needs to be installed outside the bin store on Mare Street.

- 4.7.3 Pollution Noise: No objection, subject to conditions in respect of internal ambient noise and mechanical plant noise.
- 4.7.4 Pollution Air: No objection to the findings of the AQA and Energy Statement. If the application is approved conditions should be added with regard to Air Quality impact mitigation and dust control within the Construction Management Plan
- 4.7.5 Pollution Land: We recommend having them submit a preliminary risk assessment. If contamination is expected a sampling regime in the garden area should also be proposed.
- 4.7.6 Drainage: No objection. The site is shown to have a 'high' risk of surface water flooding and an increased potential for elevated groundwater. Conditions are recommended in relation to Sustainable Urban Drainage and the implementation of flood resilient/ resistant construction details.
- 4.7.7 Streetscene: The proposed dropped kerb for waste vehicles is priced at a maximum of £2600, with £2000 of the charge being the cost of closing a lane to traffic while the works are carried out.

5.0 POLICIES

5.1 Local Plan 2033

PP1 Public Realm
PP3 Hackney Central and Surrounds
PP5 Enhanced Corridors
LP1 Design Quality and Local Character
LP2 Development and Amenity
LP3 Designated Heritage Assets
LP4 Non Designated Heritage Assets
LP6 Archaeology
LP7 Advertisements
LP8 Social and Community Infrastructure
LP10 Arts, culture and Entertainment Facilities
LP11 Utilities and Digital Connectivity Infrastructure
LP12 Housing Supply
LP13 Affordable Housing
LP14 Dwelling Size Mix
LP17 Housing Design
LP26 New Employment Floorspace
LP27 Protecting and Promoting Office Floorspace in the Borough
LP31 Local Jobs, Skills and Training
LP32 Town Centres
LP33 Hackney Central and Dalston
LP35 Local Shopping Centres

LP36 Shops Outside of Designated Centres
LP37 Small and Independent Shops
LP38 Evening and Night Time Economy
LP39 Over-concentration of Uses
LP41 Liveable Neighbourhoods
LP42 Walking and Cycling
LP43 Transport and Development
LP44 Public Transport and Infrastructure
LP45 Parking and Car Free Development
LP46 Protection and Enhancement of Green Infrastructure
LP47 Biodiversity and Sites of Importance of Nature Conservation
LP51 Tree Management and Landscaping
LP52 Waterways, Canals and Residential Moorings
LP53 Water and Flooding
LP54 Overheating
LP55 Mitigating Climate Change
LP57 Waste
LP58 Improving the Environment - Pollution

5.2 London Plan (2021)

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering the homes Londoners need
GG5 Growing a good economy
D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D11 Safety, security and resilience to emergency
D12 Fire safety
H1 Increasing housing supply
H2 Small sites
H4 Delivering affordable housing
H5 Threshold approach to applications
H10 Housing size mix
E1 Offices
E2 Providing suitable business space
E11 Skills and opportunities for all
HC1 Heritage conservation and growth
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 5 Water infrastructure
SI 6 Digital connectivity infrastructure

- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- T6.2 Office Parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

5.3 Supplementary Planning Guidance / Documents (SPG):

- Mayor of London Housing SPG 2016
- The Mayor's Transport Strategy
- Mayoral Community Infrastructure Levy
- Accessible London: achieving an inclusive environment SPG
- Hackney Sustainable Transport SPD
- Hackney Planning Obligations SPD (2020)
- Mare Street and Town Hall Conservation Area Appraisal

5.4 National Planning Policies/Guidance

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance
- National Technical Housing Standards

5.5 Legislation

- Planning (Listed Buildings and Conservation Areas) Act 1990
- Section 66 (Listed Buildings)
- Section 72 (Conservation Areas)

6.0 COMMENT

- 6.0.1 The application proposes the erection of two storey rear and single storey roof extensions to provide 9 residential units and ground floor office use (Use Class E(g)). The rear of the building would be landscaped and a cycle store erected to the rear.
- 6.0.2 The main considerations relevant to this application are therefore:
 - 6.1 Principle of the development of the site and land uses;
 - 6.2 Housing Mix
 - 6.3 Affordable Workspace
 - 6.4 Design of the proposed development;
 - 6.5 Quality of accommodation;
 - 6.6 Potential impact upon the residential amenity of nearby occupiers;
 - 6.7 Transport and Servicing

- 6.8 Energy and Sustainability;
- 6.9 Trees, Landscaping and Biodiversity;
- 6.10 Consideration of Consultee Responses
- 6.11 Planning contributions and Community Infrastructure Levy (CIL)

Each of these considerations is discussed in turn below.

6.1 Principle of the development of the site and land uses

- 6.1.1 The existing building is vacant but its last lawful use was within Class E, being a ground floor Citizens Advice Bureau with ancillary office space above. The long term vacancy of the site is noted, as is the need for extensive refurbishment of the building. The building is outside of the Town Centre, which lies across Paragon Road to the north. It is accepted that the ancillary offices at the upper floors, which are currently occupied by property guardians, would require substantial work to function as standalone offices.
- 6.1.2 As such, the proposal, which would create office space at ground floor level, while converting the upper floors to residential use, is considered acceptable in principle. In this location outside of a priority office area, housing is considered to be the most pressing need, while the ground floor office use (Class E subsection (g)) would reprovide some of the office space lost at the upper floors and provide an active commercial frontage adjacent to the Town Hall Square.
- 6.1.2 A condition restricting the ground floor use to subsection (g) of Class E has been recommended, in order to ensure that the proposed office use is retained throughout the lifetime of the development. This is agreed by the applicant and is considered reasonable to ensure that the loss of the ancillary office space at first and second floor levels is mitigated by the proposed ground floor use, with its higher quality office space described in the 'Quality of Accommodation' section below.

6.2 Housing Mix

- 6.2.1 The proposed residential mix is informed by the existing internal subdivision of the heritage building. A number of alternative options were explored at pre-application stage and the proposal balances the requirements for a mix representative of need (Local Plan 2033 policy LP14: Dwelling Size Mix) with the constraints of the existing building. It includes two, three bedroom, family houses fronting Paragon road within the following overall mix:

- 6x One bedroom, two person units
- 3x Three bedroom, five person units

The proposed mix is considered acceptable.

6.3 Affordable Housing

- 6.3.1 As a proposal containing nine new residential units, the proposal includes a payment in lieu of £450,000 towards the off-site provision of Affordable Housing, as per LP33 policy LP13. This has been captured within the legal agreement for this application

and the proposal is considered acceptable in this regard.

- 6.3.2 It is noted that London Plan Policy H4 (Delivering affordable housing) requires that public sector land provides at least 50% affordable housing on each site and that this be provided on-site. Nevertheless, on small sites such as this, the policy also clarifies that “*Boroughs may also require affordable housing contributions from minor housing development in accordance with Policy H2 Small sites*”. As such, the proposal is considered acceptable with regard to the newly adopted London Plan.

6.4 Design Considerations

Context

- 6.4.1 Policy LP1 of LP33 seeks to adopt a rigorous design approach and ensure a good and optimum arrangement of the site in terms of form, mass and scale. Policy D3 (Optimising site capacity through the design-led approach) of the London Plan (2021) requires that development respond in a positive manner to the existing context, where possible enhancing it, and seeks to ensure that buildings and structures are of the highest architectural quality.
- 6.4.2 Policies HC1 of the London Plan, and LP3 and LP4 of Hackney’s LP33 require proposals to make a positive contribution to the character of Hackney’s historic and built environment by preserving or enhancing the character and appearance of conservation areas.

Significance of Area and Buildings

- 6.4.3 The site consists of what was once three dwellings (234, 236 and 238 Mare Street), currently arranged as offices to the ground and first floor with guardians in residence on the upper floors. The original houses were built after 1831 before the 1860s, probably circa 1850. They were altered between 1902 and 1906, when an LCC road widening scheme resulted in some unusual changes: parts of the fronts of the buildings (particularly at Number 234) were demolished to widen the road, a new facade was added to the whole group, the lower ground floor was infilled to create a tall ground floor, reworked as shops. The buildings therefore have an Edwardian front and roof and mostly 1850s rear and this is reflected in the surviving internal features.
- 6.4.4 The buildings are a Non Designated Heritage Asset and are positive contributors within the Town Hall Square Conservation Area. The buildings form part of a terrace with earlier buildings (Numbers 222 to 232 (even) Mare Street) which are Grade II listed. The buildings sit within the context of the Grade II listed Town Hall and gardens, facing the locally listed former Library across Paragon Road.

Design

- 6.4.5 The proposed design follows a pre-application process and has been improved during the application process. As such, while the objections to the scheme are noted, the design is considered acceptable. The existing northern flank wall to the building, which presents an altered and blank facade to the corner with Paragon Road, would be improved by the extended shopfront and the insertion of windows at the upper

storeys. The two houses facing Paragon Road are designed to complement both the existing building and the new building adjacent to the east.

- 6.4.6 The design of the mansard has been finessed during the application process and would now follow the Borough's design guidance. It would be a relatively unobtrusive addition to the building and has been designed to relate well to the existing building. A condition has been recommended to require further details of the colour to the mansard at the next stage, since the proposed red colouring may not be the preferred choice once a selection of alternative colours has been considered.
- 6.4.7 The design of the proposal is considered to be acceptable, subject to conditions requiring further details of materials, architectural elements, hard and soft landscaping and roller shutters. Compliance conditions have also been recommended in respect of repairs/cleaning, the use of bricks rather than brick slips and to ensure no additional perforations in the walls, no additional pipework or external equipment.

Conservation

- 6.4.8 A Heritage Statement has been provided with the application. It is considered that the removal of the rear outriggers to the building, which are original but are not considered to be of high significance, is acceptable as part of this proposal. Detailed structural information has been provided to indicate that the mansard roof extension can be provided without additional structural support to the existing building and this is acceptable.
- 6.4.9 Amendments to the proposal during the course of this application, include a pitched southern flank to the mansard and a reduction to its height. A number of specific conditions relating to the repairs, alterations and extensions proposed are also recommended. As a result, the development is considered to enhance the setting of the conservation area and the adjacent listed terrace and to be acceptable in conservation terms.
- 6.4.10 The site is within an Archaeological Priority Area and a condition has been recommended to require a Written Scheme of Investigation prior to any below ground works.
- 6.4.11 In order to ensure that the construction process is carried out appropriately a condition has been recommended in respect of the repairs and brickwork cleaning. A further condition has been recommended to ensure that the construction is carried out immediately following the required demolition, as befits this highly visible site within the conservation area.

Conclusion

- 6.4.12 For these reasons, the proposal is considered acceptable in respect of its impact on the character of the existing building, the Grade II listed terrace to the south and the surrounding conservation area.

6.5 Quality of Accommodation

Employment Floorspace

- 6.5.1 Local Plan 2033 policy LP27 relates to new business (Class E(g)) floorspace and require such floorspace to be flexible / adaptable to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent commercial enterprises.
- 6.5.2 The proposed floorspace, being the ground floor of the converted building, is considered to be suitable for a small business and likely to find a tenant. Strettons have produced a Market Report that supports this assessment. The nature of the floorspace is such that it would be relatively narrow, with its large windows giving good outlook and daylighting. It would maintain the active frontage of the building facing the street in this location just south of the Town Centre.
- 6.5.3 For these reasons, the proposal is considered to be acceptable in respect of the quality of accommodation proposed for the office use.

Residential Floorspace

- 6.5.4 New residential developments are expected to provide a good standard of amenity for future occupiers and demonstrate compliance with the minimum floorspace standards of London Plan policy D6 and the requirements of the Mayor's Housing SPG. LP33 policy LP17 references these standards.
- 6.5.5 The units would have good headroom. In terms of overall unit size, all the three bedroom units would meet the minimum floorspace standards. It is noted that two of the six one bedroom units would be marginally below the national standards (47.8m² instead of 50m²) but a number of alternative layouts have been considered at pre-application stage, responding to the existing walls and windows of the heritage building, and the proposed layout is considered to be optimal for this building. Seven of the nine units meet the overall floorspace standards and all of the units are well laid out, with good outlook and daylighting and dual aspect. As such the proposal is considered to provide acceptable internal living conditions for future residents.
- 6.5.6 London Plan policy D7 seeks to achieve the highest standards of accessible and inclusive design. Following amendments by the applicant during the course of the application, the two houses would reach nationally described housing standard Building Regulations M(4)2. Given the nature of the application, which involves the conversion of a heritage building, it is accepted that the units within the existing building cannot be made fully accessible. The proposal is considered acceptable in this regard.
- 6.5.7 In terms of private residential amenity space provision, the houses are provided with outdoor space facing the communal courtyard. All the residential units would have access to the communal courtyard. This arrangement is considered acceptable, given the nature of the conversion.

6.5.8 For these reasons, the proposed development is deemed to provide a high standard of residential accommodation for prospective future residents and is subsequently deemed to meet the requirements of LP33 policies LP1 and LP17, London Plan policies D5, D6, H10 and the Mayor's Housing SPG.

6.6 Impact to Amenity

6.6.1 The proposal would remove two existing rear outriggers from the main rear elevation of the building, which would have a positive impact on the amenity of neighbouring occupants. The rear extensions (the houses) proposed facing Paragon Road, being of a two storey height and with a matching front and inset rear building line to the Ambulance Station development adjoining to the east, would have no significant impact on the outlook or daylight/sunlight for the occupants on this building, which has a blank flank elevation at ground and first floor level.

6.6.2 The proposal for the roof extension, being solely contained above the existing roof slope is considered to have no significant impact on the outlook or daylight/sunlight of neighbouring occupants.

6.6.3 The applicants have submitted a daylight/sunlight report in respect of neighbouring properties that is considered to support the above assessment.

6.6.4 In respect of overlooking, the objection in this respect is noted. However the views from the proposed windows and outdoor amenity spaces are considered to be similar to existing views from the windows of the site. The overlooking from the proposal is considered to be acceptable.

6.6.5 For these reasons, the impact of the proposal in respect of outlook, sense of enclosure, daylight/sunlight and overlooking is considered to be acceptable.

6.6.6 Given the small scale of the proposed commercial premises and the nature of the office use, it is considered that no condition limiting the hours of use of the premises is necessary to protect neighbouring amenity. A condition has been recommended to ensure that any noise from mechanical plant does not disturb the residents of neighbouring residential properties.

6.7 Transport and Servicing

6.7.1 The development is served very well by public transport. The closest rail stations are London Fields and Hackney Central railway stations. The site is also served well by a number of bus routes. The Public Transport Accessibility Level (PTAL) of the site is 6b the highest level of public transport accessibility.

6.7.2 The proposed development would be car free in line with LBH policies for car free developments. The site is in a CPZ and future occupiers of the site would be prevented from applying for a parking permit. Blue Badge car parking provision for the occupants and visitors of this proposed development has been carefully considered. Given the scale of the development it is not deemed necessary to add a new Blue Badge bay on the constrained public highway. Blue Badge holders are eligible to park free of charge in the pay and display bays on the opposite side of Pentagon Road to the application site. These are situated less than 50 metres from the site entrance.

- 6.7.3 The applicant is proposing to provide 18 single tier cycle parking spaces for the residential element in a secure store to the rear of the development, in line with Hackney policy. The two commercial spaces, plus three visitor spaces are also considered to be in line with Hackney's cycle parking standards. A condition has been recommended to ensure that these spaces are provided.
- 6.7.4 Deliveries and vehicular servicing will be carried out from the street. Given the scale and location of the development it is considered that a full Delivery and Servicing Plan is not required by condition.
- 6.7.5 In line with the assessment of Highways officers, there are no public realm or highway improvement works required to make this scheme acceptable, except a dropped kerb for waste vehicles, which the applicants have agreed at a cost of £2600. A condition has been added for a s278 agreement to provide this dropped kerb.
- 6.7.6 Given the location of the site a Construction Logistics Plan (CLP) has been recommended by condition, and a contribution of £2,500 is sought towards monitoring the CLP and Construction Logistics and Community Safety (CLOCS).
- 6.7.7 For these reasons, the proposed development is concluded to have no significant adverse effect on local parking or traffic and is considered acceptable in these terms.

Waste/Recycling

- 6.7.8 The Council's Waste Officer has reviewed the proposal and raises no objection to the location or capacity of waste storage provided, subject to the provision of the dropped kerb referred to above. The proposal is considered to provide suitable waste and collection servicing arrangements.

Summary

- 6.7.9 The development is considered acceptable with respect to the level of car and cycle parking, servicing arrangements and the scope of highway works. The proposal promotes the use of sustainable transport modes and will not give rise to any adverse impacts to the surrounding highway network. Conditions requiring the provision of cycle parking, a construction management plan and a dropped kerb have been recommended.
- 6.7.10 In light of the above, it is considered that the proposed development is acceptable with regard to transport.

6.8 Energy and Sustainability

- 6.8.1 As a scheme to provide additional residential units, a unilateral undertaking legal agreement has been provided that will secure a payment towards the Carbon Offsetting of the scheme (£30,923).
- 6.8.2 The proposal, by converting and retrofitting an existing building, is in line with the general aims of sustainability. The submitted information is considered to be adequate to recommend approval of this application, subject to the recommended conditions in

respect of a biodiverse roof to the houses, an assessment of the air permeability of the completed development and an assessment of the risk of overheating prior to the commencement of above ground works.

- 6.8.3 The site is small and the potential for urban greening is limited. However the proposal involves the landscaping of the rear and a biodiverse roof. As such, assessment of the urban greening factor of the site is required by condition, with the intention of optimising this element by the choices made in the landscaping and roofing.
- 6.8.4 With the proposed conditions and carbon offsetting payment the proposal is considered to be sustainable and acceptable in these terms.

Flood Risk

- 6.8.5 The application site has a 'high' risk of surface water flooding and an increased potential for elevated groundwater.
- 6.8.6 The Council's Drainage team have reviewed the proposal and state no objection, subject to conditions requiring the submission and approval of details and specifications of at least one sustainable urban drainage system (SuDS) and flood resilient and resistant construction measures for the site against surface water and groundwater flood risk.
- 6.8.7 Subject to the above conditions, the proposal is deemed to be in line with the requirements of local and regional policy.

6.9 Trees and Biodiversity

- 6.9.1 An objection to the scheme noted that an Common Elder tree has been removed from the rear garden in advance of this planning application. The applicants have confirmed that they are not aware of when this was cut down, although it appears to have been prior to 2018. There has not been an application to remove this tree but the stump is identified for removal in the submitted Arboricultural Impact Assessment. While it is noted that the tree should not have been felled within the Conservation Area without an application, the tree was not subject to a Tree Protection Order and was identified by the Arboricultural Method Statement as being of low value (C1). The removal of the stump is considered acceptable.
- 6.9.2 The remaining trees in the rear garden are to be retained and the submitted arboricultural documents are considered acceptable. A condition is recommended to ensure that the construction process does not significantly impact on these remaining trees, which provide shade and visual amenity. The proposal is considered unlikely to have any significant detrimental impact on neighbouring trees.
- 6.9.3 A further objection to the scheme is that green space is to be lost in the existing rear garden. While this is true, the effect would be marginal. Space in the rear yard is lost to the new houses and the cycle store but is gained by the removal of the existing rear outriggers. The garden is currently overgrown but the opportunity remains for the future tenants to carry out biodiverse planting to the borders at the rear, that could have a beneficial impact in this urban location. A hard and soft landscaping condition is recommended to ensure a good start in this regard.

6.9.4 A condition has been recommended to include bird and bat boxes on the northern elevation of the building at eaves level.

6.9.5 In light of the above, the proposed development is considered to be acceptable in terms of biodiversity and its impact on trees.

6.10 Consideration of Consultee Responses

6.10.1 In general, the response to issues raised by consultees has been outlined in the main body of the report, However there were additional consultation questions that are dealt with here:

The property has been left to decay while it has been inhabited by property guardians

While this is not strictly a planning matter, it is noted that the purpose of property guardians is to help maintain a building that would otherwise be vacant and subject to a greater level of decay.

The property is not vacant, it is occupied by property guardians

While this is noted, there is no suggestion that the lawful use of the property has changed as a result of the temporary use of the property by guardians.

Application form has 'Draft: not valid for submission' across it.

This was noted and a replacement form supplied by the applicants for clarification at an early stage.

Use of the alley behind the site by the owners/occupiers of 234-238 Mare Street is contested.

The ownership of the alley is a civil matter and would not form grounds for refusing this application. There is an existing gate from the garden 234-238 Mare Street to the alley behind the site. The proposal does not rely on the use of this alley (e.g. for taking out waste or wheeling bicycles), since there is access from the front to the rear.

The scheme proposes the demolition of a party wall and party boundary wall.

Any planning consent would be subject to a party wall agreement with relevant landowners. Certificate B has been signed on the application form and the applicant has confirmed that the red line boundary on the plans has been drawn correctly.

The proposal is for commercial units at ground floor level. These are purely given as a mixture of possible uses, whether they be office, restaurant or retail is not determined.

It is the nature of the new Class E of development that it not be as tightly defined as the replaced use classes. However, the applicant has agreed to a condition to limit

the use of the ground floor commercial space to office use and this is reflected in their development description on the application form.

6.11 Planning contributions and Community Infrastructure Levy (CIL)

6.11.1 The proposal is liable for both the Mayor of London's and the Hackney Community Infrastructure Levy (CIL2). The existing floorspace has been vacant for the last 36 months. Mayoral CIL2 for the additional and converted floorspace is £60 per m². In this location, Zone A Hackney CIL is in force at a rate of £190 per square metre of residential floorspace, with a nil charge for the proposed office floorspace.

6.11.2 LBH CIL
851m² x £190 = £161,960

6.11.3 Mayoral CIL2
991m² x £60 = £59,460

6.11.4 This total of £221,150 is subject to indexation at the implementation of the development.

6.11.5 Following adoption of Local Plan 2033 minor applications containing new residential development are required to fill out a template legal agreement covering the payment in lieu for affordable housing, the carbon offset of the scheme, the Construction Logistics Plan Monitoring Fee and the Car Free Agreement, as set out in recommendation B.

7.0 CONCLUSION

7.1 The principle of the development of the site is considered acceptable in land use planning terms and in accordance with policy objectives within Local Plan 2033, the London Plan (2021) and National Planning Policy Framework. It is considered that the proposed mix of uses is appropriate for the site, providing employment floorspace, an active frontage and a residential mix reflective of housing need.

7.2 The submitted scheme is considered to respect the existing heritage building and enhance the townscape at this important corner. It is acceptable with regard to the setting of the conservation area and the adjacent listed buildings. The proposal is also acceptable in planning terms in all other respects, including the impact on amenity of adjoining residents, the transport impact, sustainability, biodiversity and its impact on trees.

7.3 The proposal is, on balance, therefore deemed to comply with pertinent policies and the granting of permission is recommended, subject to conditions and the completion of the legal agreement.

8.0 RECOMMENDATIONS**8.1 Recommendation A**

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

8.1.1 - Commencement within three years

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

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

8.1.2 - Development in accordance with plans

The development hereby permitted shall only be carried out and completed strictly in accordance with the submitted plans hereby approved and any subsequent approval of details.

REASON: To ensure that the development hereby permitted is carried out in full accordance with the plans hereby approved.

8.1.3 - Details of Materials

Notwithstanding the approved plans, documents and details, full details, including physical samples, of all the materials to be used on the external surfaces of the building, including, but not limited to, bricks, coping stones and coping trims, green glazed bricks, zinc cladding and rainwater goods shall be submitted to and approved by the Local Planning Authority, in writing, before the start of the relevant part of the works. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D3 Optimising site capacity through the design-led approach, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.4 - Design details to be approved

Notwithstanding the approved plans, documents and details, detailed drawings and full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority before the start of the relevant part of the development.

- The proposed shopfronts in the form of a 1:20 elevation showing the pane pattern and layout and 1:20 vertical section drawings together with 1:5 section details of frames and doors, showing the material, profile and design of the the shopfront;
- Details of all signage, security fittings, lighting, lettering and other elements attache dor applied to the shopfronts;

- Details of all new and replacement windows and doors in the form of a 1:20 elevation showing the design and pane pattern and 1:5 sections showing the profile and material of the elements;
- Details of the dormers in the mansard roof in the form of 1:20 vertical and horizontal sections showing the materials, dimension and buildup;
- Details of the balustrading to the roof terrace in the form of a 1:20 elevation in context and a manufacturer's specification and illustration showing the materials, design and dimensions;
- Details of the proposed green roofs in the form of a 1:10 or similar vertical section drawing showing the materials, dimensions and buildup, together with manufacturer's specifications and illustration explaining the system;
- Details of recycling storage in the form of a plan showing the location and images showing the design and materials;
- Details of a darker hue to the proposed zinc clad mansard roof;
- Calculation of the Urban Greening Factor of the development, aiming where feasible at a minimum factor of 0.4.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D3 Optimising site capacity through the design-led approach, D4 Delivering good design, D5 Inclusive design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.5 - Hard and soft landscaping scheme

No development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include species, size, position and method of planting of any new trees and shrubs; and a programme of implementation.

All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D3 Optimising site capacity through the design-led approach, D4 Delivering

good design, D5 Inclusive design and HC1 Heritage conservation and growth, G5 Urban greening and G6 Biodiversity and access to nature; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.6 - No Brick Slips

The new development hereby approved shall be constructed in whole bricks. Brick slips or other panelised brick systems shall not be used.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.7 - Phasing: demolition as part of single phase for whole development

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of the approved development and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: To ensure that premature demolition does not take place without securing the public benefits and that an unsightly gap or derelict site does not detract from the character and appearance of the area in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.8 - Brickwork cleaning, repairs and re-pointing

No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Brickwork repairs shall be made in brick to match the adjacent historic works in face bond, jointing, mortar mix, profile and finish. Re-pointing shall be slightly (2-3mm) recessed from the brick surface and not flush, ribbon or weatherstruck pointing.

REASON: This condition relates particularly to the areas of the historic building where demolition has taken place and where brickwork repairs are necessary and is to preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.9 - Punctuations in walls and roofs

No additional punctuations in the external walls and roofs shall be permitted other than as shown on the drawings hereby approved.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.10 - No extraneous pipework

No soil stacks, soil vent pipes, plumbing, pipes, flues, vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.11 - External equipment

No new grilles, satellite dishes, aerials, meter boxes, security alarms, lighting, security or other cameras or other fixtures or plant shall be mounted on the external faces or roof of the building other than those shown on the drawings hereby approved.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.12 - Perforated roller shutters

No roller shutters other than of the open mesh tube link portcullis type, located behind the glazing, shall be installed, unless otherwise agreed with the Local Planning Authority in writing. Details of any proposed roller shutter on drawings to a scale of 1:20 shall be submitted to and approved by the Local Planning Authority, in writing, and no shutters shall be installed otherwise than in accordance with the details thus agreed.

REASON: To preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; London Plan 2021 Policies D1 London's form, character and capacity for growth, D4 Delivering good design and HC1 Heritage conservation and growth; and

Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.13 – Use only as office space

The ground floor commercial premises hereby approved shall be used only as offices (Use Class E, subsection g), 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.

8.1.14 – Office Fit out and further actions strategy

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the residential use is commenced. Full details of a fit out and marketing strategy for the uptake of the office (Use Class E(g)) premises. The strategy shall include, but not be limited to, details of the wall, ceiling and floor finishes, plumbing, wiring and broadband connectivity details, details of the minimum general scheme of marketing, details of the maximum rates, tenures and durations to be offered and shall include a defined duration for the marketing exercise.

The approved office space shall be fitted out in full accordance with the details approved prior to the first occupation of the residential units hereby approved and will not be marketed otherwise than in accordance with the details approved unless otherwise agreed in writing by the local planning authority. In the event that the approved fit out and marketing are unsuccessful in finding occupier/s the further actions will be undertaken in full, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the employment floorspace hereby approved is of an adequate standard which meets local business need and is adequately marketed and provided to meet local business need.

8.1.15 Tree Protection

Tree protection shall be undertaken in full accordance with the details contained within the Arbtech Arboricultural Method Statement, the Arboricultural Impact Assessment (Arbtech AIA02) and the Tree Protection Plan (Arbtech TPP02) and will protect the root protection area calculated as described in Table 2 of that British Standard. Protective fencing will be 2.4m high and conform to Figure 2 of BS5837:2012 i.e. a scaffold framework comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3m. On to this weldmesh panels should be securely fixed with wire or scaffold clamps.

REASON: To safeguard trees of amenity value.

8.1.16 – Accessibility

The two houses facing Paragon Road shown on the drawings 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 dwellings remain accessible despite the differing needs of occupants and throughout their occupancy.

8.1.17 Non CHP boilers

Any non-CHP space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers must achieve dry NO_x emission levels equivalent to or less than 30 mg/kWh.

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

8.1.18 - Air Quality Assessment

Prior to the occupation of the development hereby approved, an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority in respect of the following:

- 1) Proof that relevant mitigation measures, such as those outlined in the Air Quality Assessment hereby approved, against transport emissions are integrated and implemented adequately into the development.
- 2) Proof that they reduce concentrations at relevant locations in the development below the NO₂ annual mean national air quality objective (NAQO)

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

REASON: To ensure the air quality of the development for future users of the building.

8.1.19 – Commercial Use to Residential Acoustic Protection

A scheme of sound insulation designed to prevent the transmission of excessive airborne noise between the proposed commercial use and the residential use of the development shall be submitted to and approved in writing by the Local Planning Authority. The airborne sound insulation performance shall achieve, as a minimum, a 10db increase in the minimum requirements of Approved Document E of the Building Regulations. The sound insulation shall be installed and maintained only in accordance with the details so approved.

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

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

8.1.20 – Mechanical Plant Noise

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.

8.1.21 – Internal Ambient Noise

Within the proposed residential units (with the windows closed) the following internal noise levels shall be achieved and shall be maintained throughout the lifetime of the development:

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq, 16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq, 16hour}$	-
Sleeping (Daytime resting)	Bedroom	35 dB $L_{Aeq, 16hour}$	30 dB $L_{Aeq, 16hour}$

REASON: To require adequate noise mitigation measures to ensure that future occupiers of the residential units are not unduly disturbed by ambient noise.

8.1.22 Air Permeability Testing

Prior to occupation of the development hereby approved, a full air permeability test report confirming the new build domestic development has achieved an average air permeability of 4 m³/h/m² at 50pa, shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.23 Overheating

Prior to the commencement of above ground works an assessment of the risk of overheating should be undertaken with dynamic simulation as indicated in the Energy Assessment Guidance Greater London Authority guidance on preparing the energy assessments (2018), based on CIBSE TM59:2017 and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. If overheating is present on the assessment, strategies proposed to mitigate the problem shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.24 Biodiverse roof

Prior to occupation of the development hereby approved, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed drawing, full specifications and a detailed maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

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

8.1.25 - Contaminated Land: Pre-development

A Preliminary Risk Assessment with regard to contaminated land shall be produced to the satisfaction of the Local Planning Authority prior to the commencement of development. If this Assessment concludes that contamination is expected a sampling regime in the garden area shall be carried out and the results submitted to, and approved by, the Local Planning Authority prior to the commencement of development.

Work shall be completed and reporting produced by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance.

Any additional, or unforeseen contamination encountered during the course of development shall be notified to the Local Planning within 2 working days. All development shall cease in the affected area. Any additional or unforeseen contamination shall be dealt with as agreed with the Local Planning Authority. Where development has ceased in the affected area, it shall recommence upon written notification of the Local Planning Authority.

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

8.1.26 - Cycle Parking

Prior to the commencement of above ground works, details of the 18 residential and 2 commercial secure bicycle spaces and 3 visitor spaces shown on the drawings hereby approved, including layout, stand type and spacing, shall be submitted to and approved in writing by the Local Planning Authority. Such details as are 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.

8.1.27 - Demolition and Construction Management Plan

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

- a) A demolition and construction method statement to include details of all noise and vibration (including noise from ancillary or temporary power supplies, details and locations of noisy activities including mobile plant machinery) and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS5228 and

measures to control dust and preserve air quality (including a risk assessment of the demolition and construction phase);

- b) A detailed demolition and construction logistics plan to include the following: the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/ footway closures during the construction period;
- c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;
- d) Details and locations of all noisy activities including mobile plant machinery, and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS 5228;
- e) Procedures for maintaining good public relations including complaint management, public consultation and liaison. Arrangements for liaison with the Council's Community Safety Team.
- f) Results and mitigation measures identified from the construction dust assessment within the AQA to effectively mitigate dust emissions.

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

8.1.28 – Archaeological Written Scheme of Investigation

No demolition or development shall take place until an archaeological 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, which shall include the statement of significance and research objectives, and:

- A. 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. A programme of public benefit where appropriate
- 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 WSI

REASON: To ensure that the development does not harm archaeological remains within the Archaeological Priority Area.

8.1.29 - Sustainable Urban Drainage (Maintenance)

Prior to superstructure works, detailed specification and a drainage layout of at least one suitable sustainable drainage system (i.e. water butt, raingarden, bioretention planter box, permeable paving, etc.), in addition to the biodiverse green roof, shall be submitted to, and approved by the LPA, in consultation with the LLFA. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried

out to ensure that the capacity of the soil is suitable for infiltration. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in peak flow rate and volume. The scheme thereby approved shall be carried out in its entirety before the residential units are occupied.

REASON: To safeguard against flooding and pollution and to improve local biodiversity.

8.1.30 – Flood Resilience and Resistance

A scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk shall be submitted to and agreed, in writing with the LPA in consultation with the LLFA prior to the construction of the measures. The scheme thereby approved shall be carried out in its entirety before the residential units are occupied and; constructed and completed in accordance with the approved plans in line with current best practices.

REASON: To protect future users against the risks of groundwater flooding in this critical drainage area with a high risk of surface water flooding.

8.1.32 - Bird and Bat Box Provision

Details of bird and bat bricks/boxes to be implemented at eaves level as part of the development, shall be submitted to and approved in writing by the local planning authority, prior to occupation of the development hereby approved. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To provide potential habitat for local wildlife, in line with the recommendations of the submitted habitat survey.

8.1.33 - s278 Agreement: Dropped Kerb

The development shall not be occupied until a Scheme of Highway Improvement Works to create a dropped kerb for waste vehicles has been submitted to and approved in writing by the Local Planning Authority and completed in full in accordance with the approved details.

REASON: In the interests of highway and pedestrian safety and to ensure the development is well integrated with its surroundings.

8.2 Recommendation B

That the above recommendation is subject to completion of a legal agreement that secures the following matters to the satisfaction of the Head of Planning and the Director of Legal and Governance Services.

- Payment in lieu for affordable housing
- Carbon offset of the scheme
- Car Free Agreement.
- £2,500 construction management monitoring fee

8.3 Recommendation C

That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manager) to make any minor alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee (who may request that such alterations, additions or deletions be first approved by the Sub-Committee).

9.0 INFORMATIVES

A reason for approval is required quoting all the Local Plan and London Plan policies listed at sections 5 of this report. In addition the following informatives should be added:

- Work Affecting Public Highway
- Sanitary, Ventilation and Drainage Arrangements
- Control of Pollution (Clean Air, Noise, etc.)
- Fire Precautions Act
- Refuse Storage and Disposal Arrangements
- Landscaping
- The Construction (Design & Management) Regulations 1994

NSI The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England’s Guidelines for Archaeological Projects in Greater London.

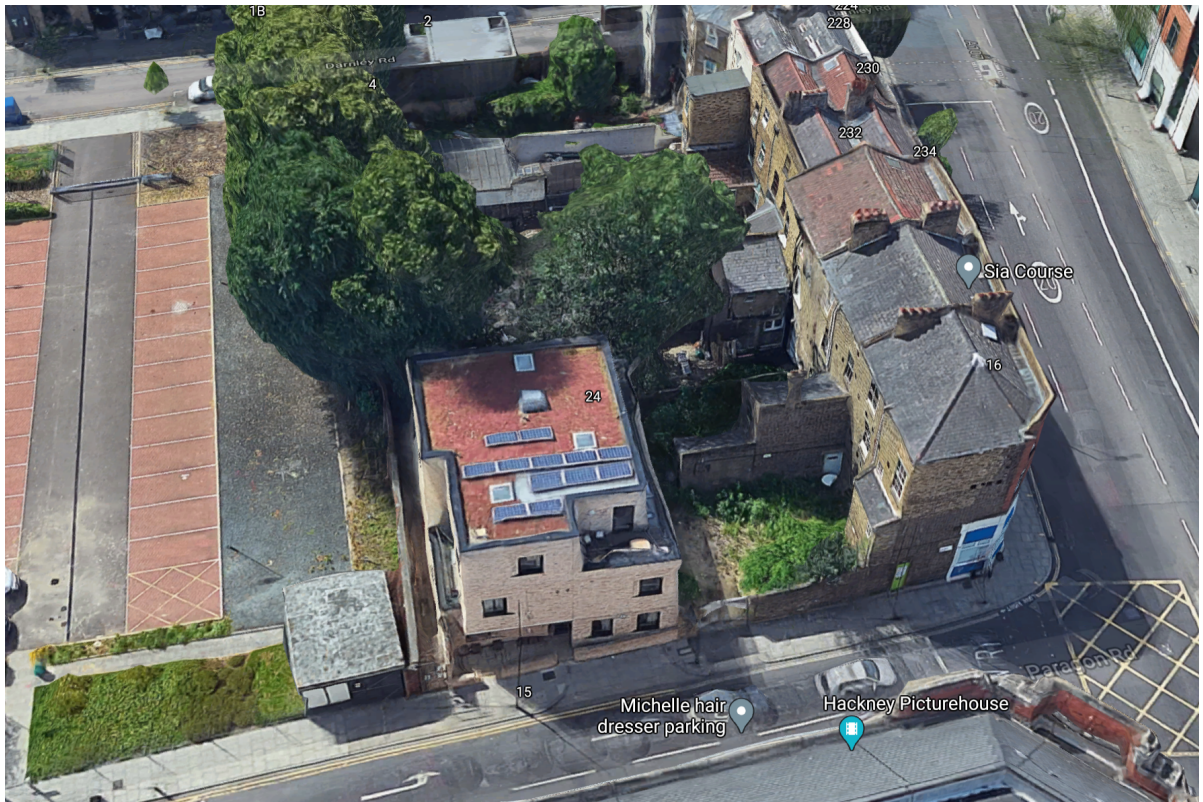
NSI Signage to the commercial premises is likely to require advertisement consent.

Signed..... Date.....

ALED RICHARDS
Director, Public Realm

NO.	BACKGROUND PAPERS	NAME AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Local Plan 2033, London Plan 2021	Nick Bovaird x8291	2 Hillman Street, London E8 1FB

APPENDIX A – Site photos



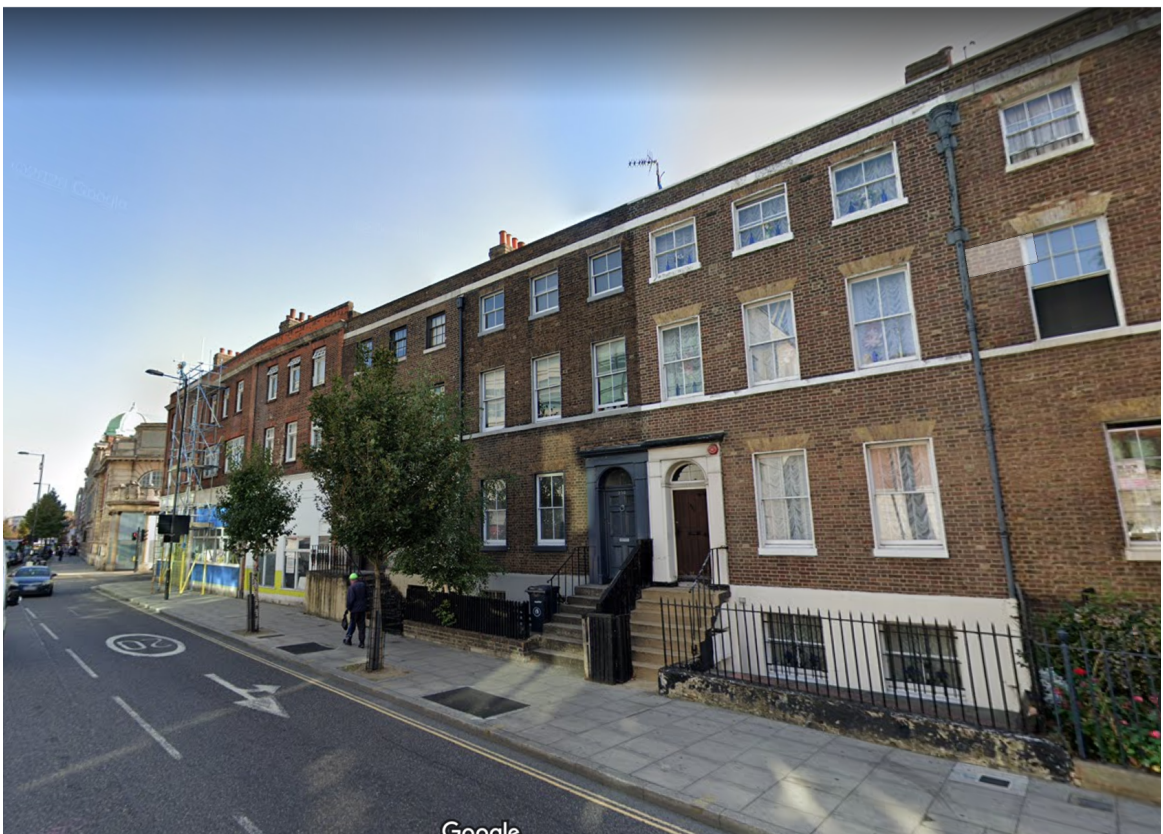
Looking south:



Mare Street Frontage:



Corner of Mare Street and Paragon Road:



Looking north along Georgian terrace towards site:



View of rear of site from Paragon Road: