



Planning Sub-Committee – 07/04/2021

ADDRESS: 19 Great Eastern Street and 9 Hewett Street, London, EC2A 3RP	
WARD: Hoxton East Ward	REPORT AUTHOR: Steve Fraser-Lim
APPLICATION NUMBER: 2021/0406	VALID DATE: 10/02/2021
DRAWING NUMBERS: 1124-SP-02 PL1; 1124-SP-02-PL1; 1124-X-EX-00-PL1; 1124-H-EX-00-PL1; 1124-O-EX-B1-PL1; 1124-O-EX-00-PL1; 1124-O-EX-01-PL1; 1124-O-EX-02-PL1; 1124-O-EX-03-PL1; 1124-O-EE-01-PL1; 1124-O-EE-02-PL1; 1124-O-EE-03-PL1; 1124-O-ES-01-PL1; 1124-X-GA-00-PL1; 1124-O-GA-B1-PL1; 1124-O-GA-00-PL1; 1124-O-GA-01-PL1; 1124-O-GA-02-PL1; 1124-O-GA-03-PL1; 1124-O-GA-04-PL1; 1124-O-GA-05-PL1; 1124-O-GA-06-PL1; 1124-O-GA-07-PL1; 1124-O-GA-PL-PL3; 1124-O-GA-RF-PL1; 1124-O-GE-04-PL1; 1124-O-GE-05-PL1; 1124-O-GE-06-PL1; 1124-O-GS-AA-PL1; 1124-O-GS-CC-PL1; 1124-H-GA-B1-PL2; 1124-H-GA-00-PL1; 1124-H-GA-00M-PL1; 1124-H-GA-01&03-PL1; 1124-H-GA-02-PL1; 1124-H-GA-Evens-PL1; 1124-H-GA-Odds-PL1; 1124-H-GA-RF-PL1 1124-H-GE-01-PL1; 1124-H-GE-02-PL1; 1124-H-GE-03-PL1; 1124-H-GE-04-PL1; 1124-H-GE-05-PL1; 1124-H-GS-AA-PL1; 1124-H-GS-BB-PL1; 1124-X-GE-05-PL1; 1124-X-GE-06-PL1;	
<u>Supporting Documents:</u> Air Quality Assessment by Rambol dated (ref: 1620010190 Version 2); Archaeological desk-based assessment by MOLA dated July 2020 (ref: P19-465 issue 4); Design and Access Statement by Buckley Gray Yeoman dated July 2020; Daylight & Sunlight report by Delva Patman Redma dated July 2020 (Ref. SG/17214); Delivery and Servicing Management Plan by RGP dated July 2020 (ref: 19/4802/DSMP); Preliminary Ecological Appraisal by the Ecology Partnership dated July 2020; Energy Strategy Report by Applied Energy dated 23.07.2011 (ref: Project 19041 Revision B); Flood Risk Assessment & SuDS Strategy Report by Heyne Tillet Steel dated July 2020 (ref: 2194 rev01); Noise Impact Assessment by Scotch Partners dated 21/07/2020 (Revision 1); Phase1 geoenvironmental report by enzygo dated Oct 2019 (ref: CRM.1738.001.GE.R.001.A); Planning Statement by Smith Jenkins Planning dated July 2020 (ref: 345); Transport Assessment by RGP dated July 2020 (ref: 19/4802/TS01 revC); Travel Plan by RGP dated July 2020 (ref: RLR/19/4802/TP05 revision C); Response by Applied Energy to GLA and Hackney officer comments on the submitted Energy Strategy dated 4th March 2021; Urban Greening	



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Factor calculation October 2020; Fire Strategy for office and hotel buildings by CS Todd Associates Ltd dated March 2021; Flood Risk and SuDs letter by Heyne Tillet Steel, dated March 2021 in response to GLA stage 1 Report; Letter by Ramboll dated 17/02/2021 in response to GLA stage 1 report; Outline Construction Logistics Plan by RGP dated February 2021; Transport Assessment Addendum by RGP dated March 2021		
APPLICANT: Minorities Ltd % agent	AGENT: Nick Jenkins Smith Jenkins Ltd	
PROPOSAL: Demolition of existing office building and erection of new office building of 8 storeys (plus basement) with roof plant enclosure and erection of building for use as a hotel and associated restaurant facilities of 12 storeys (plus basement) with roof plant enclosure, public realm and other associated works.		
POST SUBMISSION REVISIONS: Submission of additional information with regard to transport, sustainability and fire strategy.		

RECOMMENDATION SUMMARY: Grant conditional planning permission subject to completion of a Legal Agreement 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 (but adjacent to South Shoreditch Conservation Area)
Listed Building (Statutory)	-	No
Listed Building (Local)	-	No
Priority Office / Industrial Area (POA / PIA)	Yes	

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Central Activities Zone	Yes	-
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LAND USE DETAILS:	Use Class	Use Description	Floorspace (m2 GIA)
Existing	SG B1	Street food market Office	465 2170
Proposed	class C1 class B1	Hotel Business	10232 (295 hotel rooms) 4655

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	155

1. SITE CONTEXT

- 1.1 The site comprises a number of temporary buildings and structures associated with Dine-arama, the food market at 19 Great Eastern Street, which has access from Great Eastern Street, and a 4 storey office building at 9 Hewett Street, which has access from Hewett Street.
- 1.2 The surrounding context is mixed and urban in character as it is located within the Central Activities Zone and on the fringe of the City of London. A 30 storey residential tower building forming part of the Stage development is situated on the opposite side of Hewett Street to the south. The stage, and recently completed Principal Place developments comprising office, residential retail and visitor attraction uses are all located to the south. A former railway viaduct adjoins to the east, and will form elevated publicly accessible space, as part of the Stage development. A three building screened by advertising hoardings and another section of the former railway viaduct is situated on the opposite side of Great Eastern Street to the north. Arnold House, a recently refurbished 8 storey office building fronting Great Eastern Street adjoins to the north west. A 3-6 storey office building facing Hewett Street adjoins to the west.
- 1.3 The site itself is not within a conservation area, although it is situated within a block which is surrounded by the South Shoreditch Conservation Area on 3 sides. The site itself has a direct context to the conservation area towards its east and north-east, along Great Eastern Street.

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2. CONSERVATION IMPLICATIONS

- 2.1 The site itself is not within a conservation area, although it is situated within a block which is surrounded by the South Shoreditch Conservation Area on 3 sides. The site itself has a direct context to the conservation area towards its east and north-east, along Great Eastern Street.
- 2.2 The nearest listed buildings are: 6-8 Great Eastern Street, a 5 storey former warehouse and office building situated on the opposite side of Great Eastern Street to the west (grade II); 5 Fairchild Place, a 5 storey former shops, dwelling and bank situated to the south east (grade II); 24-26 Curtain Road is located to the south of the site (grade II).

3. RELEVANT HISTORY

- 3.1 There is no relevant planning history for 9 Hewett Street. The refurbishment and extension of Arnold House (21-33 Great Eastern Street and 36-41 Holywell Lane) and introduction of various commercial uses at ground floor level was approved in 2016, and subsequently numerous applications for approval of details and non-material amendments have been approved. The works are now complete.
- 3.2 The part of the proposed site known as 19 Great Eastern Street was the car park and service yard for Arnold House and in the 1970's became a separate high security lorry park. A change of use to a car park was refused in 2014. In 2015 permission was granted for temporary use as an outdoor food market together with the construction of associated structures. This temporary use has since been extended more than once and the permission now expires 05/08/2021.
- 3.3 To the south of the proposed site is the site known as The Stage which includes the archaeological remains of The Curtain theatre and is currently undergoing a large-scale redevelopment originally granted permission in 2014. To the south of the proposed site is a 40 storey residential building and a 6-8 storey commercial building, both of which are currently under construction.

4. CONSULTATIONS

- 4.1 The statutory consultation period for the application started on 15/02/2021 and ended on 18/03/2021. The included neighbour letters sent to 512 neighbouring properties and both site and press notices. No responses from members of the public have been received.
- 4.2 It should be noted that additional information has been submitted in response to Hackney and GLA officer comments and comprising: Response by Applied Energy to GLA and Hackney officer comments on the submitted Energy Strategy dated 4th March 2021; Urban Greening Factor calculation October 2020; Fire Strategy for office and hotel buildings by CS Todd Associates Ltd dated March 2021; Flood Risk and SuDs letter by Heyne Tillet Steel, dated March 2021 in response to GLA stage 1 Report; Letter by Ramboll dated 17/02/2021 in response to GLA stage 1 report; Outline Construction Logistics Plan by RGP dated February 2021; Transport Assessment Addendum by

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RGP dated March 2021.

- 4.3 No re-consultation on this information has been carried out, as it has been submitted as a response to dialogue between the local planning authority and the applicant. The additional information is explanatory in nature to address specific detailed points, for instance with regard to the energy strategy and transport assessment. The application proposals have not been revised or changed as a result of this submission of further information. As such a consultation was not considered necessary.

Statutory Consultees:

Historic England

- 4.3 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)

- 4.4 The application site lies in an area that has recently produced numerous significant archaeological remains. These include the very unusual early neolithic archaeology at Principal Place and bronze age and Roman remains at Shoreditch Village. On top of this is the known mediaeval and post-mediaeval activity represented by the nearby Elizabethan playhouses and the earlier Holywell Priory nunnery. The site's location alongside the historically important Walbrook stream and its tributaries is not well understood and any survival of brickearth geology especially is likely to contain prehistoric and later archaeological evidence that may require detailed management in a consented scheme.

- 4.4 Therefore advise that the applicant completes these studies to inform the application:
Geoarchaeology Coring: Geoarchaeology is the application of earth science principles and techniques to the understanding of the archaeological record. Coring involves boreholes drilled into the buried deposits to record (and sample) their characteristics, extent and depth. It can assist in identifying buried landforms and deposits of archaeological interest, usually by using the results in deposit models. Coring is often undertaken when the deposits of interest are too deep for conventional digging, or when large areas need to be mapped. It is only rarely used in isolation, usually forming part of either an archaeological evaluation to inform a planning decision or the excavation of a threatened heritage asset. I recommend the creation of a geoarchaeological model of the site and its immediate surroundings and then a comparison of development impact against that model. I will then be able to advise further.

Thames Water

- 4.5 No objection with regard to impact on combined wastewater network infrastructure capacity. Recommend informative regarding precautions when working near infrastructure.
- 4.6 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 details of upgrades to water infrastructure or a development and infrastructure phasing plan to be submitted and agreed by Thames Water.

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Greater London Authority (GLA) / Transport for London (combined response)

- 4.7 London Plan policies on the CAZ, Opportunity Areas; urban design, inclusive design, energy, sustainable development and transport, are relevant to this application. Having regard to these policies, whilst the proposal is supported in principle the application does not currently fully comply with these policies as summarised below:
- 4.8 Strategic issues summary: Principle of development: The proposed office and hotel uses in the Central Activities Zone are strongly supported. London Plan Policy E1 supports the development and redevelopment of offices including improvements to the quality, flexibility, and adaptability of office space of different sizes to improve London's competitiveness and address wider objectives of the London Plan. London Plan Policy E10 confirms that London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure in areas well supported by public transport. 24. The proposed hotel use would help achieve this objective, complement the office provision, further activate the ground floor, and help achieve CAZ objectives. The proposed hotel is therefore also supported in line with London Plan policies and SPG guidance.
- 4.10 Urban design: The proposed height, massing, and architectural approach are supported, as is the provision of new public realm. While a specific site allocation for tall buildings has not been identified as required under Policy D9, the principle of tall buildings has been tested by Hackney Council previously and deemed suitable. The proposal would not harm the setting of any nearby heritage assets or Strategic Views from Westminster Pier to St. Paul's Cathedral. A Fire Strategy should be submitted prior to any Stage 2 referral.
- 4.11 Inclusive design: The scheme complies with London Plan policies, with 10% of rooms accessible for disabled guests, and level access throughout.
- 4.12 Energy: The energy strategy is broadly supported; however, further information is required with regard to the Air Source Heat Pumps (ASHP), and an investigation of using waste heat from cooling systems, before full compliance with relevant London Plan policies can be demonstrated.
- 4.13 Sustainable development: The development does not fully comply with the London Plan. Concerns are raised with regard to the water runoff rate within the sustainable drainage strategy. In addition incorporation of rainwater harvesting and further urban greening measures should also be considered.
- 4.14 Transport: The proposal is compliant with London Plan subject to resolution of issues relating to trip generation, Transport Assessment, cycle parking design, a Stage 1 Road Safety Audit, and a possible contribution towards TfL improvements on Great Eastern Street prior to any Stage 2 referral.

Natural England

- 4.16 No comment received.

Met Police Design Out Crime Advisor

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- 4.17 No objection but recommend conditions requiring the development to achieve Secure by Design Accreditation.

Other Council Departments

Transport

- 4.18 The development is considered generally policy compliant with respect to the level of car and cycle parking and the scope of highway works. The proposal promotes the use of sustainable transport modes and will not give rise to any overly adverse impacts to the surrounding highway network.
- 4.19 However concerns are raised with regard to space available for cycle parking at the hotel. A cycle parking plan is required, for the above mentioned number of spaces, which shows details of layout, foundation, stand type and spacing. In addition concerns are raised with regard to the proposed delivery and servicing arrangements which involve vehicles reversing into Hewett Street. In addition loading in this location would conflict with on street waiting requirements. As such alternative options should be considered first including potential access over the stage development site to the south, or a loading bay on Great Eastern Street. If Hewett Street is used for servicing a £1000 contribution is sought for monitoring of the Delivery and Servicing Plan.
- 4.20 Conditions are also recommended concerning the provision of cycle parking along with clauses within a legal agreement to secure public realm enhancements, restriction on future residents from applying for parking permits, compliance and adoption with travel plan, demolition and construction logistics plan and highway works.

Drainage

- 4.21 Recommend conditions with regard to details / implementation of sustainable drainage measures, and information to demonstrate that the basement will not increase the potential for groundwater flooding to the site itself or surrounding area.

Air quality

- 4.22 Initially raised concerns that the proposed energy centre does not follow the London Local Plan Policy 5.6 hierarchy for developing a scheme's heating network. This is because if the development will include a decentralised energy hub and cannot gain all electricity supply from air source heat pumps or electric appliances it should follow the energy hierarchy eliminating the need for gas fired water heaters. Further clarification was also requested to confirm the development is not located in an area exceeding the short term NO2 national air quality objective.
- 4.23 The applicants have clarified that ASHP is proposed to meet hot water demand and gas fired boilers are only included as a back up measure. Further clarification has been provided with regard to NO2 modelling and NO2 levels on Great Eastern Street. These responses have addressed the initial concerns of air pollution officers.

Pollution (land contamination)

- 4.24 No comment received.

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Waste Management

- 4.25 The waste predicted from the development is on the high side with the number of 1100 litre containers needed exceeding 20 (up to 22 are needed in total). If the bin stores are not large enough for the waste from the hotel and offices more collections will be needed. The Service Delivery document suggests 3 collections per week. If the premises recycle their waste, then this might be double the number of collections, unless the HGV servicing the premises has a split body that could accommodate both waste streams.
- 4.26 As such management of the bins is vital. An agreement is required that premises management will bring up the bins on collection day and house them in a dedicated bay. A condition is therefore required involving the management of the bins and a commitment to recycling.

Local Groups

Hackney Society

- 4.27 No comment received.

Shoreditch Conservation Area Advisory Committee (CAAC)

- 4.28 The CAAC acknowledges that this part of the Conservation Area is mixed in character with a variety of building types and scales, including a number of emerging and consented tall buildings. However, the application site represents the missing element of the Great Eastern St - Hewett St - Curtain Road block which should be taken as the context for the development. The form and scale of the Great Eastern St element has no relationship with this context and reads as an uncomfortable insertion into the streetscape. As such the SCAAC objects to this application as it would have a detrimental impact on the character and appearance of this part of the Conservation Area even taking account of the mixed and changing nature of the area.

Hackney Design Review Panel (DRP)

- 4.29 The pre-application proposals were presented to the DRP for the first time in March 2020: *“Panel members acknowledge that this is likely to be a budget hotel, but despite this they consider that there is more potential for the architects to create a building which can be celebrated and which enhances this part of the city. Arnold House needs to be ‘book-ended’ and it is considered that by revisiting the design of the corner with Great Eastern Street, it could be freed from alignment issues. Additional height could be accommodated, but would have to be justified with internal improvements elsewhere. This includes improving the ground floor offer, improving its relationship with the public realm and bringing in light to corridors on the upper levels. The entrance also needs to be expressed better, by having a true double-height space. The plinth must be made more distinct. Treatment of the corner facing Great Eastern Street will play an important part, by potentially activating it, by incorporating the core, hotel windows, public art etc. Improvements to the internal hotel layout in creating high quality spaces are sought.*
- 4.30 *The Panel feels that the scheme cannot be supported in its current form, but has confidence in the team and strongly feels that the suggested amendments will help the proposal contribute to the wider area as well as create a building*

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worthy of celebrating in this important part of Shoreditch, as it is not doing so at present. Overall, the architects are recommended to revisit the proposals in incorporating the suggested amendments. In light of these, the Panel will be keen to look at the reconsidered scheme in due course”.

- 4.31 Following this feedback, further design development took place and revised proposals presented to a further DRP review in May 2020. The Panel commented as follows: *“By stepping back from Great Eastern Street and going slightly taller, the proposed scheme has freed itself from Arnold House and overcome many of the earlier issues around how the two buildings meet. The two buildings come together now more cleanly and exposing the corner of Arnold House allows its simplicity and geometric strength to remain. However, the Panel suggests pulling the building back further and meeting Arnold House at an more orthogonal angle in order to strengthen the geometry further. At the upper level, the setback element is considered to weaken the composition and form of the building and the Panel suggests filling this out to simplify the building’s form.*
- 4.32 *At ground level, the projecting podium at the entrance is considered to be a weaker element that lacks presence and relates poorly to Arnold House. The Panel suggests removing this to fully expose the geometric corner at which the two buildings meet. A projecting canopy could then potentially be incorporated, along with planting, to mark and emphasise the entrance.*
- 4.33 *The overall architectural approach is considered to have improved since the first review and the Panel supports the use of contrasting brickwork and vertical metal edge trims between the scalloped bays. The Panel agrees that the transition between the plinth and the main building is uncomfortable and appears abrupt. This area needs further work with regards to how the forms line up and it may benefit from an intermediate element would assist with the transition. There is consensus amongst the Panel that the end elevation facing Great Eastern Street continues to lack enjoyment, particularly due to the longer, awkward scallop detail and the window arrangement, which results in a large vertical area of blank facade. The Panel suggests making this elevation more geometrically simplified with the same dimensions to each scalloped bay. The Panel also suggests exploring alternative window arrangements to avoid blank areas of facade. The proposed hotel signage is also a key consideration that should be designed in carefully rather than being an add-on.*
- 4.34 *The Panel recognises the constraints of bringing forward a budget hotel and the addition of windows to the eastern end of the main hotel corridor is a small improvement. However, there continues to be a concern with the lack of generosity to the internal layouts, particularly as the redesign has resulted in the addition of 12 more hotel rooms. The suggested changes to the corner adjacent to Arnold House create an opportunity to improve room layouts, lose pinch points and add more windows. Efforts should also be made to ensure that the lifts are in the most desirable location”.*
- 4.35 Following the May DRP further design development took place to address the points raised by the Panel, and this included referral of potential improvements back to the chair. These improvements are reflected in the current proposals, and are discussed further in the design section of this

report.

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
- LP9 - Health and wellbeing
- LP11 - Utilities and digital connectivity infrastructure
- LP25 - Visitor accommodation
- 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
- LP52 - Waterways, canals and residential moorings
- 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)

- GG2 Making best use of land
- GG3 Healthy cities
- GG5 Growing a good economy
- SD1 Opportunity areas
- SD3 Growth locations
- 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



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D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of change
D14 Noise
S1 Developing London's infrastructure
E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E10 Visitor infrastructure
E11 Skills and opportunities for all
HC1 Heritage conservation and growth
HC3 Strategic and local views
HC5 Supporting London's Culture and creative industries.
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
SI1 Improving air quality
SI2 Minimising carbon emissions
SI3 Energy infrastructure
SI4 Managing heat risk
SI5 Water 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
T6.4 Hotel and leisure uses parking
T6.5 Non residential disabled car parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

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
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 Accessible hotels in London Report 2010

5.4 National Planning Policies

National Planning Policy Framework and Planning Practice Guidance

5.5 Legislation

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Town and Country Planning Act 1990 (as amended)

5.6 Emerging Planning Policy

- 5.6.1 The Hackney Draft Future Shoreditch Area Action Plan was subject to public consultation in 2019, and may be subject to examination in public in 2021-2022. As such this AAP is at draft stage, and only limited weight can be attached to the guidance within the document.

6. COMMENT

6.1 Background

- 6.1.1 The site is situated with a frontage onto Great Eastern Street to the north as well as Hewett Street the south. The eastern section of the site, accessed from Great Eastern Street contains a range of temporary structures currently occupied by the Dinorama outdoor food market (see planning history). The western section of the site facing Hewett Street contains a 4-storey office building dating from circa 1980.

- 6.1.2 The proposal seeks to demolish these existing buildings and structures and erection of a basement and 12 storey hotel building with 295 guest rooms. The hotel has an entrance from Great Eastern Street, with restaurant and reception at ground floor level facing Hewett Street. An 8 storey office building is also proposed to the west of the hotel facing Hewett Street.

6.2 Land use

Hotel Accommodation

- 6.2.1 The application site is within the CAZ. London Plan Policies SD3, SD4, SD5, S1, E1, E10 and HC5 recognise the strategic importance and unique international, national and London-wide role of the Central Activities Zone (CAZ) as a business location for hotel and office uses. Hackney LP33 policy LP25 provides guidance on hotel development and states that:
- A) the amount of new visitor accommodation including short-term lettings will be managed having regard to up-to-date assessments of current and future room demand and supply published by the Council. Where the assessment indicates long-term demand has not yet been met, visitor accommodation applications will be permitted if it meets the following criteria:*
 - B) Large scale hotels (50+ rooms) will be permitted in the Central Activities Zone and major town centres where there is an identified need that the Council deems to be greater than identified need for other policy compliant land uses;*
 - C) The proposals meet the following criteria:*
 - i. proposals must not result in a total supply (which includes approved schemes not yet built) of visitor accommodation rooms significantly greater than the projected demand for rooms; and*
 - ii. not lead to an over-concentration of similar uses within the locality; and*
 - iii. not result in the loss of general purpose housing or opportunities to provide conventional C3 housing or employment uses in line with policies LP12 Housing Supply and LP26 New Employment Floorspace; and*
 - iv. complement the balance and mix of uses in the area, and the character and*

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function of the area, and is compatible with surrounding land uses; and
v. not cause an unacceptable level of disturbance to, or loss of amenity to, occupiers of surrounding premises; and
vii. make adequate provision for servicing, and pick up and set down points for taxis and coaches; and
vii. includes at least 10% wheelchair accessible bedrooms.

D) Active frontages should be incorporated at ground floor level and ancillary facilities such as conference rooms, restaurants or gymnasiums should be accessible to the public, unless there are valid and appropriate reasons why such facilities should not be accessible to the public”.

- 6.2.2 In terms of part A of policy LP25, the most recent council figures in relation to hotel approvals since 2015 show that 794 rooms have been completed in that time, with 1,485 further rooms with planning approval. This gives a total supply of 2,279 rooms since 2015. The GLA's *Working Paper 88 Projections of demand and supply for visitor accommodation in London to 2050* (2017) identifies Hackney's need for hotel spaces between 2015 and 2041 as 3,382 additional units (net). When considering pending applications for hotel development without approval (an application for 210 bedrooms at 39-47 East Road received a resolution to grant planning permission subject completion of S106 in July 2020 (ref: 2019/3936), there is capacity for a further 908 hotel rooms before 2041 against GLA projections. It is therefore considered that there is sufficient demand for a 295 room hotel at this site.
- 6.2.3 In terms of part B of policy LP25 the proposal site is located in close proximity to Liverpool Street Station (mainline and underground) and Shoreditch High Street overground station. Great Eastern Street is also a busy thoroughfare used by a number of bus routes. as such the site has excellent public transport accessibility (PTAL 6b). The site is also located within the Central Activities Zone, in close proximity to the City of London. The character of the surrounding area is mixed and commercial in character with a number of business, education and visitor attractions in the vicinity which would benefit from nearby hotel accommodation. As such the site's Central Activities Zone location is considered appropriate for a hotel use.
- 6.2.4 The proposals have also been assessed against the criteria within part C of policy LP25. In terms of part i) as noted above there is capacity for development of further hotel rooms before GLA and Council projections are exceeded.
- 6.2.5 As required by part ii) of policy LP25 consideration has been given to potential for overconcentration of hotel uses in the surrounding area. There are a number of large hotels in vicinity of the site, including CitizenM on the junction of Holywell Lane and King John Court a short distance to the north, and four further hotels on Great Eastern Street and Willow Street within 500m of the site (Nobu Hotel, Hart Shoreditch Hotel, Hoxton Hotel and Artotel under currently construction). However this location is highly urban and mixed use in character, with business, retail, leisure and residential uses within the surrounding area. For instance office uses adjoin to the west, within Arnold House, and residential uses on the opposite side of Hewett Street to the south within the Stage development. Given this mixed use character a further hotel development within this surrounding context would not result in an undue concentration of such uses within the surrounding area.

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- 6.2.6 part iii) requires that proposals do not result in the loss of general purpose housing or opportunities to provide conventional C3 housing or employment uses. The proposals do not result in the loss of housing as there is none on the site at present. The site would theoretically be an appropriate location for self contained housing, as encouraged by policy LP12, as residential uses are situated on the opposite side of Hewett Street to the south. However the incorporation of office and residential uses at this site would result in some significant drawbacks, in terms of the standard of amenity for future residential occupiers. The site forms part of a larger perimeter block with office floorspace to the north and west. As such the rear facades of any residential units and balconies would be heavily overlooked by office windows. This is a particular issue at the eastern corner of the site where the rear facade of Arnold House to the north is 5m from the application site at its closest point. As such any proposed residential units would be likely to experience a significant degree of overlooking from the north, or the layout of the building would result in a high number of single aspect units orientated to the south.
- 6.2.7 The south elevation of a significant proportion of the site facing Hewett Street would receive a significantly compromised level of daylight due to the scale of recent development of the Stage development on the opposite side of the street, and the narrow width of Hewett Street. This would be a significant issue if residential layouts were orientated mostly to the south to avoid overlooking from office buildings to the north.
- 6.2.8 In addition the centre of the surrounding perimeter block to the north has a large number of extensions at ground floor level. As such any residential floorspace or amenity space at ground and first floor levels would not be practical due to very poor daylighting / overshadowing. To overcome this office floorspace could be located at lower levels with residential above. However this would be likely to result in further inefficiencies in terms of providing separate cores and circulation space in a multi use building. Upper floor residential units would still be overlooked to the north and with poor daylight to the south. The nature of the proposed office / hotel uses means that the development can be sited close to site boundaries and windows to the north. Provision of single aspect hotel rooms facing either southward, or in close proximity which makes more efficient use of the site.
- 6.2.9 As such, provision of a mixed office / residential development with associated access requirements could therefore prejudice the economic potential of the site, which would be undesirable, given the site's location within the Central Activities Zone and Priority Office Area. As such the proposed mix of hotel and office uses, and lack of residential use is considered appropriate in this instance, given the site's location and circumstances, and would not result in the loss of an opportunity to provide residential use at the site, in accordance with policies LP12 and LP25.
- 6.2.10 Part iv) of policy LP25 requires hotel uses to complement the balance and mix of uses in the area, and the character and function of the area, and is compatible with surrounding land uses. As noted above the surrounding area is mixed in character and contains a number of office, retail, leisure and residential uses. The provision of a hotel would be appropriate within this context and support the function of other business and leisure uses, including

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the new visitor centre in connection with the below ground Elizabethan theatre archaeology within the Stage development site to the south.

6.2.11 Part v) of policy LP25 requires that hotel developments do not cause an unacceptable level of disturbance to, or loss of amenity to, occupiers of surrounding premises. Impacts of the development in terms of noise, daylight, sunlight and overshadowing are considered in later sections of the report. 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. The proposed hotel use will result in visits to and from the site including at evenings and night time. However the surrounding area is mixed use in character and contains a number of late opening night time economy uses. As such any noise and activity generated from the proposed uses would be appropriate in this context. Any impacts could be further mitigated through compliance with an operational management plan. In addition the residential units under construction to the south, benefit from modern construction techniques, which mitigate noise impacts. As such occupiers of these units would be unlikely to result in undue disturbance as a result of the proposed hotel use. A condition is proposed to ensure that noise from plant and machinery will not result in adverse noise impacts.

6.2.12 Part vi) of policy LP25 requires that proposals make adequate provision for servicing, and pick up and set down points for taxis and coaches. It is envisaged that the vast majority of trips by customers and staff to and from the development will be by sustainable transport modes. Servicing and deliveries will take place from Hewett Street and these arrangements are considered acceptable, although transport issues are discussed in more detail in following sections of the report.

6.2.13 Part vii) of policy LP25 requires that 10% of hotel rooms should be accessible. The application proposals confirm that 10% of the proposals will be wheelchair accessible and as such this part of the policy is met.

6.2.14 Part C of policy LP25 requires active frontages at ground floor level for hotel developments. The proposals include restaurant and reception spaces at ground floor level which include glazing and natural surveillance towards Hewett Street and Great Eastern Street. Two entrances to the hotel are proposed from both of these streets. Ancillary spaces such as the kitchen, linen store, luggage room, plant room, waste storage and cycle storage are located in internal or basement rooms. As such the ground floor frontage of the development is almost entirely active.

6.2.15 In summary therefore the proposed hotel use, would meet anticipated demand, is located in a suitable location and would not result in loss of potential for residential development or harm the amenity of the surrounding area. As such all the criteria within policy LP25 are met and the proposed hotel is considered in accordance with the policy.

Principle of proposed office floorspace and impact of the proposals upon the Shoreditch Priory Office Area

6.2.16 The application site is located within the Central Activities Zone (CAZ) and City Fringe Opportunity Area (OAPF) as designated by the London Plan. The

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site is also within a Priority Office Area (POA) as designated by the emerging Local Plan.

6.2.17 London Plan Policy E1 supports the development and redevelopment of offices including improvements to the quality, flexibility, and adaptability of office space of different sizes to improve London's competitiveness and address wider objectives of the London Plan. These policies specifically seek to increase office supply within the CAZ to accommodate the projected additional demand for 3.5 million sq.m. of floorspace between 2016 and 2041 as identified within Table 6.1 of Policy E1.

6.2.18 The OAPF and Shoreditch in particular provides scope to support London's critical mass of financial and business services with clusters of other economic activity, such as the creative and technology based industries, as identified in the Government's 'Tech City' initiative.

6.2.19 Hackney Local Plan policy LP26 sets a target for delivery of 118,000sqm of new office floorspace by 2033 and states that office led development in priority office areas is supported, with employment floorspace maximised. The most relevant sections of policy LP27 states that:

"New Office Floorspace:

A. New development involving the provision of new office (B1a) floorspace must comprise well designed, high quality buildings and floorspace that is 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.

B. All applications incorporating new office floorspace should include a marketing strategy which demonstrates the design and layout of the proposed floorspace is of a high quality, is flexible and meets the needs of likely end users.

Priority Office Areas (POAs)

C. New development within designated POAs will be permitted where it is employment-led and where B1 use class is the primary use in line with the below thresholds, subject to viability.

i) Within the Future Shoreditch AAP (Shoreditch POA and part of the Wenlock POA) - at least 60% of the floorspace across the area as a whole is B1 employment floorspace.

D. Retail, hotel, community, leisure, residential development in POAs will only be permitted where all of the following criteria are met:

i) The development forms part of an employment-led, mixed-use scheme including conversion schemes meeting the thresholds identified in Ci. and ii. above.

ii) Proposals must be appropriate to the characteristics and functioning of the site and will not compromise the on-going operations of businesses in the POA.

iii) Proposals must satisfy the requirements of Policies including; other employment policies, Policy LP8 (Social and Community Infrastructure), Policy LP25 (Visitor Accommodation) Policy LP32 (Town Centres), and Policy LP38 (Evening and Night Time Economy).

iv. Residential uses are not provided at ground floor level".

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- 6.2.20 The proposals have been assessed against the above criteria. In terms of part C of policy LP27 the proposal would increase the provision of office floorspace at the site from 2,170 sqm to 4,665 sqm. This includes 647sqm NIA of affordable workspace which will be let at no more than 40% of market rents for offices in that area, which is secured within the legal agreement.
- 6.2.21 Overall, the balance of uses within the development would be 31% office floorspace to 69% hotel which falls short of the target for an employment led development with 60% office floorspace in this POA. However regard should be given to the mix of uses currently on the site. The existing office building occupies a minority of the existing site footprint with the remainder occupied by the Dine-arama street food market. As such the proposed office provision would still provide a significant uplift in office floorspace at the site. The immediately adjoining urban block which the proposal is entirely in office use, with further office floorspace on the opposite side of Hewett Street to the south. As such a hotel use of the size proposed would increase the mix uses in the immediate area without jeopardising the supply of office accommodation.
- 6.2.22 In addition the proposed hotel use would provide significant employment benefits, including the creation of entry level employment. As such both the hotel and office elements of the development as a whole would still make a significant contribution to local employment. The proposed hotel would also complement and support surrounding office uses and the new visitor attraction within the Stage site to the south. The proposals also include a favourable provision of affordable workspace, in excess of policy requirements, which would support the office function of the development. As such the proposals would not jeopardise the target within the Future Shoreditch AAP that 60% of floorspace should be within class B1a.
- 6.2.23 In terms of part D of policy LP27 the proposed hotel would be part of a mixed use scheme which would result in an uplift of employment floorspace in terms of the existing situation. The proposals would also be broadly in accordance with policy LP25 with regard to hotel accommodation. As such the proposals would support and not jeopardise the ongoing operations of businesses in the POA. The proposals would therefore broadly meet the requirements of policy LP27 and any shortfalls in terms of the proportion of business floorspace, are considered acceptable given the characteristics of the site and the wider Shoreditch area.

Affordable workspace

- 6.2.24 In addition 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 the Shoreditch POA “*at least 10% of the new employment floorspace (gross) should be affordable at no more than 40% of the locality’s market rent in perpetuity, subject to viability*”.
- 6.2.25 There is currently 317sqm of affordable workspace within the existing building on site, which is operated by Hermitt Offices Ltd. This will be replaced with 647sqm (Net Internal Area) of affordable workspace at ground and lower ground level. This would amount to 18% of the total proposed office floorspace NIA (3661sqm). This will be let at 40% of market rates for offices in this area.

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As such the proposed affordable workspace provision would exceed the requirements of policy LP29 and represent a significant benefit of the proposals towards the Shoreditch economy. In addition the high quality affordable workspace provision will help to offset any concerns about the shortfall of office in comparison to hotel floorspace, as noted above.

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

Form, height and massing

- 6.3.3 The proposed 12-storey part of the building is adjacent to the 9-storey Arnold House and the 8- storey part is adjacent to the 6-storey Weston House. Considering the height of the adjacent 33- storey The Stage tower, this is considered acceptable in townscape terms. The height-width ratio of Hewett Street, between the Stage tower and the 12-storey hotel would create a canyon effect within Hewett Street, although this would be caused more by the Stage tower than the proposed development. Highly enclosed streets with a 'canyon like' appearance are characteristic of Shoreditch.
- 6.3.4 The arched façade of the hotel creates depth, shadow and visual interest to the building. The vertical windows of traditional proportions relate well to the nearby heritage buildings. A distinct base and mid section has been provided. The top element of the building has been subject to more discussion, and pre application proposals featured a set back top floor element.
- 6.3.5 The Hackney Design Review Panel (DRP) in its first review did not raise any concerns specifically with regard to the height and massing. Indeed the panel encouraged the proposals to be increased in height with omission of the top floor set back, to enable the building to be 'freed' from Arnold House and stand as a distinct separate building, completing the corner of the urban block. When the panel reviewed the proposals for a second time in May 2020 they considered that these changes to increase the building to 12 stories with a stronger crown top, (rather than the earlier set back) an improvement, concluding as follows:

"Panel members are encouraged by the improvements that have been made to the scheme, which have freed it from Arnold House and allowed it to stand as its own building. However, concerns remain with the angle at which the building meets Arnold House and the relationship of the ground floor canopy

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entrance appears weak. At the upper level, the setback element weakens the building's overall form and composition and more work is needed to improve the transition between the plinth level and the main building. Additional improvements are suggested for the elevation facing Great Eastern Street, which continues to lack enjoyment. Lastly, there needs to be more generosity to the internal layouts and efforts to improve room layouts and lift arrangements are welcomed”.

- 6.3.6 The applicant has addressed the comments of the May DRP through design development, refining the angle at which the proposed building links with Arnold House and improving the Great Eastern Street facade of the building. The internal spaces including room layouts and corridors have all been improved as a result of the discussion. As such the issues raised by the DRP are considered to have been fully addressed.

Architecture and Materials

- 6.3.7 The proposed concave ‘scalloped’ bay features to the hotel are intended to reference the brick grid which features in other historic industrial buildings within Shoreditch, but in a contemporary manner, and add interest and depth to the facade. The proposed convex ‘bullnose’ brick columns and concrete horizontal elements to the facade of the office building differentiate this building from the hotel, but ensure that the two buildings retain a family relationship. Whilst also referencing the ‘shoreditch grid’ architecture of the surrounding context.
- 6.3.8 Warm grey brickwork forms the main facade building material for the hotel and office, with polished concrete at ground floor plinth level, and anodized aluminum to window reveals. These proposed materials are of high quality, robust and provide fine grained visual interest, with the different colour tones and patination within individual bricks. As such the proposed architectural language and materiality is supported.

Conservation and Heritage Assets

- 6.3.9 The site is not located within a Conservation Area, nor is it a listed building. However the site adjoins the South Shoreditch Conservation Area on three sides. The South Shoreditch Conservation Area was first designated in 1991 and later extended. It's character largely derives from the large number of buildings and former warehouses associated with the 19th and early 20th century furniture trade. The proposed site is located on the boundary of the conservation area in the context of a number of buildings of similar and much larger scale. The proposal is considered to cause some harm to the CA by virtue of its increased height beyond the lower scale of the CA. However, this harm is at the lower end of the less than substantial harm scale and is considered to be outweighed by the public benefits of the scheme, which include the hotel and office uses proposed. The proposals are therefore considered to satisfy paragraph 196 of the NPPF.
- 6.3.10 The relevant nearby designated heritage assets are listed structures as follows:
- 6-8 Great Eastern Street, Grade II, List Entry 1264878

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- 2-4 Great Eastern Street, Locally Listed
- 5 Fairchild Place and 11-15 Great Eastern Street, Grade II, List Entry 1391708
- 24-26 Curtain Road, Grade II, List Entry 1226425
- 13-19 Curtain Road, Locally Listed

6.3.11 The site in its existing condition does not contribute to the significance of these listed and locally listed buildings. The impacts of the proposed development on these listed buildings are considered as follows.

6.3.12 The impact on the settings of the listed buildings at 6-8 Great Eastern Street is considered to be minor. There will be additional backdropping of these listed buildings by the new development. However, it is considered that there is already more severe backdropping of these assets already by the existing The Stage and Principal Place towers. The cumulative effect is therefore considered to be moderate. Given that the contribution made to significance by the setting of these buildings is already small the overall impact is less than substantial harm, at the lower end of the scale. The same applies to the adjacent locally listed buildings at 2-4 Great Eastern Street.

6.3.12 Similarly, the listed buildings at 5 Fairchild Place and 11-15 Great Eastern Street can be seen in the same view as the proposed development, where additional backdrop would occur, resulting in a minor impact, but less severe than the existing backdropping by The Stage and Principal Place towers. The overall impact is less than substantial harm, at the lower end of the scale.

6.3.13 The buildings at 24-26 Curtain Road are positioned in such a way that these listed buildings will not be experienced in the same view as the proposed development. Therefore, the impact of the proposed development on the setting of these buildings is neutral and there is no harm identified. The same applies to the opposite locally listed buildings at 13-19 Curtain Road.

6.3.14 Further away from the development, on Shoreditch High Street, are various locally listed and listed buildings, which would not be seen in the same view as the proposed development. Therefore, the impact of the proposed development on the setting of these buildings is neutral and there is no harm identified.

6.3.15 The harm identified to the above heritage assets is considered to be less than substantial in terms of the NPPF Para 196 test. It is considered that the public benefits of the scheme, which include the delivery of a hotel and office building, outweigh the harm caused. It is therefore considered that the Council has discharged its duty to pay special regard to the settings of listed buildings in terms of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that the requirements of London Plan Policy 7.8 Heritage Assets and Archaeology and LP33 Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets are met.

Landscaping / Public realm / open space

6.3.15 Policy LP48 states that “All major mixed-use or commercial development must maximise on-site provision of open space and where feasible provide: i. 4 sqm

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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 useable where possible”.

6.3.16 The application proposals comprise coverage of nearly the whole site with development, with little potential for provision of on site open space, although a small terrace area is provided within the office building. Provision of larger roof terraces at roof level above the hotel could result in potential noise and overlooking impacts upon the Stage residential building to the south.

6.3.17 However the proposed hotel and office will frame and provide active frontage to the northern side of an area of attractive publicly accessible space, which will be delivered as part of the Stage development to the south. In addition the site is also in close proximity to the railway viaduct building, which will be an elevated, attractively landscaped publicly accessible space which is also part of the Stage development. The application site has limited scope to contribute land to the adjacent public realm, as the proposed buildings project forwards close to the red line site boundary. In addition there is limited scope for the development proposals to contribute to public realm enhancements or urban greening in Hewett Street as this street is required to facilitate servicing and delivery vehicles in connection with both the application site and the Stage development.

6.3.18 As such the application is required to make a financial contribution of £208,875 towards enhancement of the public realm in the vicinity of the site to offset the shortfall in on-site / adjacent to the site provision. This contribution is secured within the legal agreement for the application.

Design and conservation conclusions

6.3.19 The proposal has been significantly refined and developed over the course of the pre-application process. The design of the buildings has responded to the points raised as part of officer and DRP feedback. The scale, form and massing of the proposal are considered to be acceptable and the quality of accommodation has improved. The proposal is considered to be acceptable in terms of its scale, massing, architecture and conservation impacts.

6.4 Impact on amenity of adjoining occupiers

Daylight and sunlight

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- 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 by Waldrams 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 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 is for rooms to receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter
- 6.4.4 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 development is to take place at a similar scale as others in the surrounding area.
- 6.4.5 Daylight and sunlight impacts to various properties were tested:
- The Stage: A thirty three storey residential building currently under construction, situated on the opposite side of Hewett Street to the south. The proposals will have impacts on this block, discussed below.
 - Pennybank Court: A five storey building dating from the Victorian period with retail on ground floor and flats above, situated to the east of the site beyond the railway viaduct. Impacts on this block, discussed below.
 - 8 Fairchild Place: A four storey residential building situated to the east of the site beyond the railway viaduct

The Stage

- 6.4.6 132 rooms were tested and 63 rooms were found to experience noticeable reductions in daylight, i.e. would receive a daylight reduction of more than 20% compared to their existing situation when assessed for VSC. These rooms are located between the 3rd and 10th floors, on the north elevation of the building. 47 of these rooms would experience very significant impacts, as they would receive a reduction in VSC of more than 40% and in the worst case up to 95%, when the existing condition is compared against the proposals.
- 6.4.7 However these rooms represent a relatively small proportion of overall room numbers within the Stage residential tower (5% of rooms within the building as a whole). In addition the majority of the application (with the exception of the

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existing building at 9 Hewett Street) is a cleared site, with very little existing development. As such any development at the application site which is commensurate with the scale of development taking place in the surrounding area, would be likely to result in significant and noticeable daylight impacts to the lower levels of the north facade of the Stage building. In such circumstances the BRE guidelines state that it may be appropriate to assess daylight impacts using a building which is the 'mirror image' of adjacent development, in the existing situation.

6.4.8 The applicants have undertaken a theoretical daylight / sunlight assessment featuring an 'existing' building on the application site which has the same massing as the mid rise office building within the Stage development, under construction on the south side of Hewett Street. This 'existing' mirror image building used for the assessment is also of similar scale to other existing buildings such as Arnold House. the application proposals would result in less daylight impacts upon the stage than the mirror image building.

6.4.9 As such whilst the proposals will result in very significant daylight impacts upon rooms in lower levels of the northern facade of the Stage building, these impacts are unavoidable if development is to take place to a similar scale as other buildings in the surrounding area. Therefore such impacts should reasonably be expected by future occupiers of flats within the stage development. The impact of the proposals upon sunlight to the stage building was also assessed. No windows were found to experience noticeable impacts, due the predominantly north facing aspect of the affected rooms in this building.

Pennybank Court

6.4.10 24 rooms were tested for daylight loss none were found to experience noticeable reductions in VSC. This is because affected rooms receive daylight from a number of windows, and in some cases have a dual aspect with some windows facing west toward the application site and some facing north to Great Eastern Street, which will be unaffected by the proposals. Sunlight impacts have also been assessed and again none of the tested windows would experience noticeable reductions in sunlight.

8 Fairchild Place

6.4.11 8 rooms were tested for daylight loss and none were found to experience noticeable reductions in VSC. This is because affected windows face towards the north east, and as such any obstruction to daylight from the development would be at a highly oblique angle to these windows. In addition as these windows face northwards the BRE guidelines do not require assessment in terms of sunlight impacts.

Summary of daylight / sunlight impacts

6.4.12 The proposals will result in very significant daylight impacts upon rooms in lower levels of the northern facade of the Stage building, these impacts are unavoidable if development is to take place at the site to a similar scale as other buildings in the surrounding area. Such impacts should therefore be reasonably expected by future occupiers of flats within the stage development.

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No undue daylight or sunlight impacts were identified to any other nearby buildings. Overall, the daylight and sunlight impacts are considered to be acceptable, given the site circumstances and surrounding context.

Overshadowing of outdoor amenity spaces

- 6.4.13 Impacts of the proposed development on overshadowing of surrounding publicly accessible space 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. .
- 6.4.14 The former railway viaduct to the east, as well as the space around it is proposed to be developed as landscaped, publicly accessible space as part of the Stage development. Consideration has been given to overshadowing of this space as a result of the development. However as the proposed development is located predominantly to the north of both the viaduct and space which surrounds it, the proposals would comply the BRE guidelines in terms of overshadowing. As such a full assessment by the applicant to demonstrate compliance was not considered necessary.
- 6.4.15 Overall, the impacts of the development on sunlight levels to outdoor amenity spaces is therefore considered to be acceptable.

Outlook, Privacy and Overlooking

- 6.4.16 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.
- 6.4.17 The closest facing residential units are within the Stage building which are situated on the opposite side of Hewett Street about 10m to the south. This level of separation is considered acceptable given that this is similar distance in which most other buildings are separated from each other, across generally narrow streets in Shoreditch. A similar level of separation can also be found between other hotels in shoreditch and residential buildings, such as hotels in Willow Street and Leonard Street.

6.5 Transport

Site accessibility & Trip generation

- 6.5.1 The Public Transport Accessibility Level (PTAL) rating of the site is 6b. The site has easy access to a number of bus routes, and is 750m from Liverpool Street Station (national rail / tube), Old Street Station (national rail / tube) and Shoreditch High Street overground station. The main pedestrian access to the Dinearama site is from Great Eastern Street, with the existing office building accessed from Hewett Street. There is no vehicle access or car parking associated with the site. The existing uses, in particular the food market generate a high number of visits to and from the site. Although the majority of

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these visits are by sustainable means a number are by taxi , and there are also a high number of servicing and delivery trips by vans.

- 6.5.2 The proposed uses would generate less trips to and from the site compared to existing, with the majority by sustainable modes such as walking and public transport. There would be likely to be less taxi trips generated by the proposals in comparison to the existing use.

Car Parking

- 6.5.3 The proposed development is car free, and a head of term within the S106 agreement will prevent business 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. An on street disabled car parking space is proposed, and will be secured by condition to facilitate Blue Badge parking. The applicant's transport statement identifies 18 parking bays in Curtain Road and 4 spaces in Hewett Street which can be used by Blue Badge holders. The bays on Hewett Street are in close proximity to the secondary entrance of the hotel, which is under 50 metres.

Cycle Parking

- 6.5.4 For the office building a secure cycle store providing 93 spaces as well as showers and lockers, and an accessible WC will be provided internally at basement level. The basement is accessed from ground level by a dedicated cycle entrance and lift. As such cycle provision for this element of the proposal is acceptable. For the hotel a basement cycle storage room is proposed, which is also accessible via goods lift. However the room appears to be small and may not be able to accommodate the required number of spaces (37 long stay spaces) without recourse to a cramped arrangement of cycle racks, or an over reliance on low quality vertical racks. As such the applicants have been requested to provide further details as to how the required number of spaces can be accommodated within the proposed storage room. A condition is also proposed requiring submission of full details of cycle parking prior to occupation of the development.

Highway Works and public realm

- 6.5.5 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 applicant is required to reconstruct the footway fronting the site along Hewett Street and a small section of Curtain Road, as well as providing a disabled parking space on Hewett Street. This will be secured through a S106/278 agreement at a cost of £76,800. It should also be noted that the frontage of the site onto Great Eastern Street includes a vehicle crossover which will need to be removed and footway reinstated as part of the development. However Great Eastern Street is part of the TfL route network and as such the applicants will also be required to enter into a separate S278 agreement with TfL so that these works will be done.

Service vehicles including deliveries

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6.5.6 Servicing and refuse collection is proposed to take place on-street from Hewett Street. Delivery vehicles will be required to reverse into Hewett Street from Curtain Road. This maneuver has been highlighted to the applicants as a highway safety concern. The applicants have also been required to consider alternative options such as access over the adjoining Stage development site, or provision of a loading bay on Great Eastern Street. Permission has not been forthcoming on agreement for vehicles to access the Stage development land. In addition a loading bay on Great Eastern Street would raise safety concerns as the footway would be reduced to a narrow width where conflict with large goods vehicles could result. As such the proposed arrangements are considered acceptable, although additional mitigation measures have been requested including consideration of deliveries by smaller goods vehicles and preventing deliveries during peak hours, which can be secured as part of the Delivery Servicing Plan. In addition a financial contribution of £1000 towards ongoing monitoring of the Delivery Servicing Plan is also proposed to be secured as part of the legal agreement.

Coach and taxi demand

6.5.7 The submitted Transport Statement anticipates that a budget hotel of the type proposed would cater for short duration stays i.e. for transient leisure and business trade and stop-over accommodation for onward trips further afield. As a result, the proposals would not generate a need for coach parking and no dedicated coach drop-off / pick-up facility is provided. This assessment is supported by transport survey data from other similar hotels in Hackney and London, which suggest that they generate negligible coach trips. As such officers accept that dedicated coach facilities are not required.

6.5.8 The Transport Statement also considers visits to the hotel and office by taxis and concludes that there would be a limited amount of taxi activity through the day. A peak of up to 8 visits to the hotel is anticipated in the early evening between 7 and 8pm, which can be met by the existing highway network. Officers have reviewed this information, and do not consider that dedicated taxi facilities are required for this development

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 and a fee of £8,750 for CLP/CLOCS monitoring will be secured through a S106 agreement. This will help to mitigate the negative impact on the surrounding highway network.

6.6 Biodiversity / Urban greening

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.

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- 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 0.34, which is compliant with the target of 0.3 for commercial developments. Urban greening will be achieved on the site through use of biodiverse green roofs to most of the building roofs. There is very limited potential for additional landscaping beyond this as buildings have nearly full site coverage, and the limited areas around the site are required to be hard surfaced for access. However an open space shortfall contribution is sought which could deliver public realm and urban greening benefits in the vicinity of the site, as noted previously in the report.

Biodiversity

- 6.6.3 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. The report recommends that biodiversity enhancements can be incorporated into the development, predominantly at roof level, including bird / bat boxes, native species wildflower planting and invertebrate habitat. These will be secured by condition.

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 good fabric insulation, high quality glazing, improved air tightness, high efficiency mechanical ventilation to use "free cooling" when outside temperature is below the internal temperature, heat recovery for hotel rooms, low energy lighting, and Building Energy Management Systems (BEMS). In addition, a site heat network will be provided and Air Source Heat Pumps (ASHP) will be the main heat source of space heating / cooling of the hotel and office space. Air to water heat pumps will also provide hot water for the hotel. Gas fired boilers are available as backup and to help meet peak demand. Space will also be allocated for a future heat substation and connection points for a future district heating system, if available. Finally, renewable technologies in the form of photovoltaic panels will be provided on the roof, will help to meet electricity demand.
- 6.7.3 These measures would achieve a 71% reduction in CO2 emissions. The shortfall to zero carbon is currently estimated as £401,850 (to be secured by legal agreement). This assumes 35 tonnes of CO2 per annum at a cost of £95

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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.

6.7.4 The Energy Assessment has been subject to scrutiny by Hackney and GLA officers and is considered to broadly accord with policy requirements, as well as “lean, clean, green, seen” energy hierarchy. More detailed comments have been raised by both the Council and GLA with regard to increased potential savings from ‘be lean’ measures, and details of ASHP have been requested, and have been provided by the applicant. 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, BEMS monitoring ‘be seen’), the proposals are considered acceptable in terms of London Plan and LP33 sustainability policies.

6.8 Waste

6.8.1 Basement waste storage areas are proposed within the office and hotel buildings. Concerns have been raised that waste storage areas may not be sufficient to meet the needs of the development, and therefore further collections will be required by private contractors. This will need to be carefully managed and as such a condition is proposed to require approval of an Operational Management Plan / Delivery Servicing Plan.

6.9 Fire Safety

6.9.1 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*
- 6) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures”.*

6.9.2 Fire Strategies for both the hotel and office buildings have been submitted which consider evacuation strategies, internal and external fire spread, and access for fire service vehicles and personnel. The submitted Strategies set out how all these factors can be addressed in the detailed scheme design, so that the proposals can accord with relevant Building Regulations. In broad terms the submitted details meet the requirements of the condition although the councils Building Regulations team has also been consulted with regard to the detailed

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information within the statement. A response is awaited and committee will be updated.

6.10 Hackney Works local labour scheme

6.10.1 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 a target to include 30% local labour, hire 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 (£66,912).

6.10.2 In the operational phase 30% local labour will also be required (for the first five years of operation). 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 (£153,781).

6.11 Community Infrastructure Levy (CIL)

6.11.1 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 (4655sqm GIA) and hotel (10,232sqm GIA). The existing buildings on the site has a GIA of 2635sqm.

6.11.2 The London Mayoral CIL Charging Schedule 2 (MCIL2) sets a rate of £185 per sqm of office and £140 per sqm of hotel floorspace in the city fringe. Based on the total net chargeable floor space of 12,252sqm the development is liable for a CIL of 1,887,677.70 under the London Mayoral CIL Charging Schedule.

6.11.3 The Hackney CIL Charging Schedule has a rate of £50 per sqm of offices and £80 per sqm of hotel floorspace in the city fringe. Based on a net chargeable area of 12,252sqm the development is liable for a CIL of £865,228.20 under the Hackney CIL Charging Schedule.

6.12 Equalities Considerations

6.12.1 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.

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6.12.2 Having regard to the duty set out in the Equality Act 2010, the development proposals do not 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.

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 SCB0 – 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.

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

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

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

Prior to commencement (relevant part):

8.1.5 Detailed elevation drawings

Prior to the commencement of above ground works for the development, detailed elevation and sections at 1:20 scale shall be submitted to and approved in writing by the Local Planning Authority. The submitted information shall include the following details: Facing materials; doors; windows; window surrounds and reveals; entrance canopies; gates, railings; parapets; plant room enclosures; hard surfacing paving 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.

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8.1.6 Details of materials / Mock up panel

Prior to the commencement of above ground works for the development full details and samples of all external materials including: facing materials; doors; windows; window surrounds and reveals; entrance canopies; gates, railings; parapets; plant room enclosures; hard surfacing paving to ground and roof terraces shall be assembled on site in the form of a mock up panel / bay detail or other form as agreed with officers for approval in writing by the Local Planning Authority. 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.

8.1.7 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 CS Todd Ltd dated March 2021 will be implemented into the design of the building.

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

8.1.8 Flood resilience

No development shall commence, other than works of demolition, until a report (including intrusive investigation/trial pit and monitoring where necessary) demonstrating that the basement development will not increase the potential for groundwater flooding to itself or to the surrounding area has been submitted to the Local Planning Authority for approval. Where groundwater is identified as a potential risk, details of appropriate controls including flood resilience and/or resistance measures shall be submitted to the LPA for approval and the approved measures incorporated before the basement is occupied. The basement shall be constructed and completed in accordance with the approved plans in line with BS 8102:2009 code of practice for "protection of below ground structures against water from the ground" and current best practice.

REASON: To mitigate surface run off and flood risk

8.1.9 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

8.1.10 Secured by design

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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 'Secured by Design' Accreditation. 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.

8.1.11 Zero global warming materials.

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.

8.1.12 Archaeology WSI

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.

8.1.13 Updated layout of energy systems taking into account if District Heating Network is available

Prior to commencement of the development or any subsequent relevant part, hereby permitted (other than works of demolition) an updated and detailed layout of the energy systems proposed including a whole life cycle feasibility assessment to justify the adoption of individual systems if a district heating network is available or foreseen

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in the near future, shall be submitted to and approved in writing by the Local Planning Authority.

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

Prior to occupation:

8.1.14 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.

8.1.15 Biodiverse roofs

Prior to commencement of the relevant part of the work, the applicant shall submit, and have approved in writing by the Local Planning Authority, a detailed drawing, full specifications and a detailed maintenance plan of the biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat. Details of planting to the biodiverse roof to include native species shall also be provided. 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.

8.1.16 Cycle Parking

Prior to the first occupation of each building or part of a building or use, details of the secure bicycle storage facilities for 155 bicycles (130 long stay plus 25 visitor cycles) 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.

8.1.17 Contaminated land (pre-occupation)

Prior to the first occupation of each building or part of a building or use, 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

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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.

8.1.18 Air Permeability Testing

Prior to the first occupation of each building or part of a building or use, a full air permeability test report confirming the development has achieved an average air permeability of 3.5 m/h/m² at 50pa 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

8.1.19 PV system

Prior to the first occupation of each building or part of a building or use, a report by an accredited PV installer confirming that arrays with an overall capacity of at least 42.3 and 31.0 kWp have been installed on the roof of the hotel and office, respectively, 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.

8.1.20 Delivery and Servicing Plan / Operational Management Plan

Prior to the first occupation of each building or part of a building or use, 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).

8.1.21 Waste and recycling facilities

Prior to the first occupation of each building or part of a building or use, 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.

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8.1.22 Drainage strategy verification

Prior to the first occupation of each building or part of a building or use, 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

8.1.23 Noise from plan and machinery

The total noise level from fixed plants (external or internal) shall not cause adverse or significant adverse impact on the nearest residential premises at any time. Therefore the rating noise level of the plant should be 10dB below the representative background noise level (L90), at 1 meter from the nearest noise sensitive receptor. The method of assessment shall be carried out in accordance with BS4142:2014 or any other method that may replace it. Before commencement of the use hereby permitted a test shall be carried out prior to the discharge of this condition to show above criterion shall be met and the results submitted to the Local Planning Authority for approval.

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

Post-occupation:

8.1.24 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 (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

8.1.25 Secure by design accreditation

Within three months of the first occupation of any part of the development, a 'Secured by Design' accreditation shall be obtained for that relevant part of the development.

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

8.1.26 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

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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.

Compliance conditions:

8.1.27 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.

8.1.28 Accessible hotel rooms

A minimum of 10% of hotel rooms within the development hereby approved shall be completed as wheelchair accessible rooms prior to first occupation and shall be retained as such thereafter.

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

8.1.29 Installation of plant and machinery

No plant or machinery shall be installed on the external surfaces of the building without the submission to and agreement by the local planning authority.

REASON: In order to safeguard the appearance of building and the amenity of future and surrounding occupiers.

8.1.30 Maximum number of hotel rooms

The proposal will provide a hotel use with no more than 295 hotel rooms at all times.

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REASON: In order to control the extent of the development.

8.1.31 Development in accordance with energy strategy

The measures identified in the submitted Energy and sustainability strategy and Overheating Assessment (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.

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. The agreement will be made under Section 278 of the Highways Act and will require payment of a highway contribution to enable the Council to undertake public realm improvements including the reconstruction of the footways on Hewett Street Curtain Road. The estimated cost of works is £76,800. The applicant will also be required to enter into a separate S278 agreement with TfL to reinstate footways on Great Eastern Street.
2. Employment and Training contribution to support training, employment and local procurement during construction of £66,912.
3. 24 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 (£48M), with a support fee of £1500 per apprentice (£36,000)
4. Commitment to the Council's local labour and construction initiatives including Employment & Skills Plan / proportion of operational employment (30%) as local labour.
5. Employment and Training contribution to support training, employment and local procurement during operation of £153,781.
6. Considerate Constructors Scheme – the applicant to carry out all works in keeping with the National Considerate Constructors Scheme.
7. Adoption and compliance with Travel Plan and Travel Plan Monitoring fee of £2000.
8. Open space shortfall financial contribution of £208,875 to provide public realm enhancements in the vicinity of the site.
9. Car Free - business occupiers to be ineligible to apply for parking permits for the local Controlled Parking Zone (CPZ) (with the exception of disabled residents).

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10. Construction Logistics Plan / Construction Logistics and Community Safety (CLOCS) monitoring fee of £8,750
11. Carbon Offset Contribution of £401,850
12. Contribution of £1000 for ongoing monitoring of the Delivery Servicing Plan.
13. Affordable workspace provision of 647sqm at 40% of market rates and submission and approval of Affordable Workspace Statement along with measures to monitor the provision of the workspace moving forward.
14. 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.
15. 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
- 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



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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.		Steve Fraser-Lim Planning Officer (Major applications) 020 8356 8093	2 Hillman Street, London E8 1FB