



## Planning Sub-Committee – 28/07/2021

<b>ADDRESS:</b> Shoreditch Park, Bridport Place, Hackney, London, N1 5DX	
<b>WARD:</b> Hoxton East and Shoreditch Ward	<b>REPORT AUTHOR:</b> Steve Fraser-Lim
<b>APPLICATION NUMBER:</b> 2021/1830	<b>VALID DATE:</b> 09/06/2021
<b>DRAWING NUMBERS:</b> 10769-LD-PLN-001 P01; 10769-LD-PLN-010 P01; 10769-LD-PLN-050 P02; 10769-LD-PLN-100 P02; 10769-LD-PLN-110 P01; 10769-LD-PLN-150 P02; 10769-LD-PLN-171 P01; 10769-LD-PLN-170 P01; 10769-LD-PLN-172 P02; 10769-LD-PLN-211 P02; 10769-LD-PLN-212 P02; 10769-LD-PLN-213 P02; 10769-LD-PLN-214 P02; 10769-LD-PLN-215 P02; 10769-LD-PLN-221 P02; 10769-LD-PLN-222 P02; 10769-LD-PLN-301 P01; 10769-LD-PLN-401 P02; 10769-LD-PLN-805 P02; 10769-LD-SEC-661 P01; 300421-1001; 300421-1002; 300421-1003; 300421-1004; 300421-1005; 300421-1006; 300421-1007; 300421-1008; 300421-1009; 300421-1010; 300421-1011.	
<b>Supporting Statements:</b> Drainage Statement by Civic Engineers (ref: 1175-01 P01) dated 23/04/2021; Design and Access Statement by Land Use Consultants (version 2.0) dated June 2021; Arboricultural Impact Assessment by Land Use Consultants dated May 2021; Ecological Appraisal by Land Use Consultants (ref: 10769-LD-REP-870) dated April 2021; Phase 1 Geo-environmental assessment by Land Science dated 15/04/2021 (ref: LS5569); Planning Statement by Land Use Consultants dated May 2021.	
<b>APPLICANT:</b> Catherine Hay, London borough of Hackney, Hackney Service Centre, 1 Hillman Street, London	<b>AGENT:</b> Melissa Kurihara LUC, 6th Floor, 55 King Street, Manchester, M2 4LQ
<b>PROPOSAL:</b> Works of enhancement and improvement to Shoreditch Park including new sports facilities, ball courts, children's play area, ecological improvements and hard/soft landscaping; Demolition of existing play hut building and construction of new play hut building to the west of the existing hut. New play hut building to include office, welfare facilities, cycle storage and multi-faith facilities.	
<b>POST SUBMISSION REVISIONS:</b>	



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No revisions have been submitted.

### RECOMMENDATION SUMMARY:

Grant conditional planning permission.

**NOTE TO MEMBERS:** This application is referred to the Sub Committee as it is a Council's own development comprising more than 100sqm of new floorspace.

### ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

CPZ	Yes	-
Conservation Area	-	No (the north west corner of the park is in proximity to the Regents Canal Conservation Area)
Listed Building (Statutory)	-	No
Listed Building (Local)	-	No, but Whitmore Primary School, 78 Bridport Place, is locally listed.
Priority Office (POA) / Industrial Area (PIA)	-	No
Central Activities Zone	-	No
Designated Open Space	Yes	-
Site of Importance for Nature Conservation	Yes	-

LAND USE DETAILS:	Use Class	Use Description	Floorspace (m2 GIA)
<b>Existing</b>		Public park (Designated Open Space), Adventure Playground and ancillary building	11
<b>Proposed</b>		Improved public park, adventure playground and new enlarged ancillary building	165

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
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<b>Existing</b>	0	0	30
<b>Proposed</b>	0	0	34

### 1. SITE CONTEXT

1.1 Shoreditch Park is located in the south of the borough, and is one of the largest parks in the borough. The park is identified as Designated Open Space, and a Site of Importance for Nature Conservation (SINC). The surrounding area is identified within figure 4.10 of the adopted Hackney Local Plan (LP33) as being an area of deficiency with access to open space. The Park is bounded by New North Road to the west, Poole Street and Grange Street to the north, Rushton Street and Mintern Street to the south, and Pitfield Street to the east. Bridport Place runs from north to south through the centre of the park, although the route is accessible to pedestrians and cyclists only within the Park itself. The park is relatively open in character, with an existing play area, beach volleyball court and adventure playground (with its own secure high boundary fence) located along the southern park boundary. The eastern area of the park contains formal sports pitches. Dorothy Thurtle Gardens, a more secluded, formally landscaped area occupies the south east corner of the park.

1.2 The north eastern corner of the park is currently undergoing significant change as part of the Britannia Leisure Centre development, which is currently under construction. The eastern boundary of the park adjacent to Pitfield Street previously comprised tennis courts with associated fencing. The old Britannia Leisure Centre also bounded the north eastern corner of the park. However the tennis courts have now been replaced by a new Britannia Leisure Centre building, with courts at roof level. The new leisure centre is due to open in 2021, after which the old leisure centre will be demolished and replaced with a new secondary school and residential development. A new public square is proposed to the north of the new leisure centre, providing a link through to the park from Pitfield Street. The Britannia development also included a part 16, part 6 storey residential building (building H1 and H2) situated at the corner of Penn Street and Bridport Place, facing the northern boundary of the park.

### 2. CONSERVATION IMPLICATIONS

2.1 The park is not within a conservation area. A small section of the Regents Canal Conservation Area is in proximity to the north west corner of the park.

2.2 Whitmore Primary School and 78 Bridport Place are locally listed and adjoin the northern boundary of the park. The gun posts at the corner of Ivy Walk / Ivy Street / Pitfield Street are located at the south eastern edge of the park and are also locally listed.

### 3. RELEVANT HISTORY

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### Application site

- 3.1 There have been a series of planning applications for environmental improvement works within the park itself including new planting, paving, seating, and multisport surfaces between 1998 and 2005. The most significant proposals were for development of new sports complex comprising of single storey changing/club house pavillion for leisure use, installation of artificial sports pitches, erection of 12 x 18m-high and 4 x 15m-high sets of floodlights, erection of two spectator stands to accommodate 280 spectators in total plus two trainers' shelters adjacent to new grass pitch, installation of 3m and 4m-high perimeter fencing plus 2.7m-high wall around compound entrance and new vehicular access onto Grange St (ref: 2001/1853), granted April 2002. However, this planning permission was not implemented.
- 3.2 The Britannia Leisure Centre development referred to above (ref: 2018/0926) was granted planning permission on 7<sup>th</sup> December 2018. The application comprised an outline (hybrid) application for the demolition of existing buildings and erection of eight buildings to provide a maximum overall floorspace of up to 83,989m<sup>2</sup> (GEA), comprising: Up to 481 residential units (use class C3) within 6 separate residential blocks (H1-H6 ranging in height from ground plus 3 to 24 storeys); Up to 400m<sup>2</sup> (GEA) of flexible commercial floorspace within use classes A1 / A3 / B1; 492 m<sup>2</sup> GEA use class D1 (Early Years Centre); Secondary School of 15,005m<sup>2</sup> GEA (use class D1); Leisure Centre of 12,009m<sup>2</sup> GEA (use class D2). Full details (with no matters reserved) to provide 93 residential units (11,063m<sup>2</sup> GEA), 492m<sup>2</sup> GEA of Early Years non-residential floorspace (use class D1), Secondary School of 15,005m<sup>2</sup> GEA use class D1; Leisure Centre of 12,009m<sup>2</sup> GEA use class D2 and public realm improvements. Outline details are submitted for site layout, scale and means of vehicular access (with appearance, internal layout and landscaping reserved for later approval) for 388 residential units (up to 45,020m<sup>2</sup> GEA) and up to 400 m<sup>2</sup> (GEA) of flexible commercial floorspace (Class A1/A3/B1) and other public realm / communal private space improvements.

## **4. CONSULTATIONS**

- 4.1 The statutory consultation period for the application started on 15/06/2021 and ended on 15/07/2021. This included neighbour letters sent to 144-neighbouring properties and both site and press notices. 2 responses from members of the public have been received raising objections to the proposals which are summarised below:
- Past experience does not fill the ordinary resident with confidence with regard to the consultation process.
  - There is too much hard surfacing proposed.

### **Statutory Consultees:**

#### Met Police Design Out Crime Advisor

- 4.2 In principle we have no objections to the proposal, we have recommended the attaching of a suitably worded condition and an informative in relation to the new 'Play Hut' to ensure SBD guidance is fully carried out. Section 2 - Secured by Design Condition and Informative: In light of the information provided, we request the following Condition and Informative: Condition: 1. Prior to the first occupation of each building or part of a building or use, a

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'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

- 4.3 Also raised concerns that the adventure playground hut and storage containers have secure doors and windows; that line of sight is maintained beneath tree canopies and that hedges do not grow greater than 1m in height; that benches do not encourage anti-social behaviour such as skate boarding stunts; and that lighting is consistent across the park, with no dark spaces. The play area should have a single entrance with self closing gates.

### Other Council Departments

#### Drainage

- 4.4 The site is shown to have a 'high' risk of surface water flooding and an increased potential for elevated groundwater. We welcome the use of numerous sustainable drainage systems within the proposal including rain gardens, permeable surfaces, swales and soakaways, and using infiltration as the primary method of surface water runoff disposal.
- 4.4 We have no objection to the proposal. The site surface water drainage system should be constructed in accordance with the Drainage Statement for the site is shown to have a 'high' risk of surface water flooding and an increased potential for elevated groundwater. The following conditions are recommended: full detailed specification of the sustainable drainage system supported by appropriate calculations; 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.

#### Conservation and Urban Design

- 4.5 No objection to the proposals, although clarification is required as to how the proposed rain gardens relate to the heritage lamp post columns lining Bridport Place, and also what is planned for historic bollards and existing sculpture on the mound in Dorothy Thurtle Gardens. The location and manner of display of the Javelin thrower sculpture is supported.

### Local Groups

#### Hackney Society

- 4.6 No comment received.

## 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
- LP6 - Archaeology
- LP9 - Health and wellbeing



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- LP41 - Liveable neighbourhoods
- LP42 - Walking and cycling
- LP43 - Transport and development
- LP44 - Public transport and infrastructure
- LP46 - Protection and enhancement of green infrastructure
- LP47 - Biodiversity and Sites of Importance for Nature Conservation
- LP48 - New open space
- LP51 - Tree management and landscaping
- LP53 - Water and flooding
- LP55 - Mitigating climate change
- LP57 - Waste
- LP58 - Improving the environment - pollution

### **5.2 London Plan (2021)**

- GG1 Building strong and inclusive communities
- GG3 Healthy cities
- GG6 Increasing efficiency and resilience
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D14 Noise
- G1 Green infrastructure
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- SI1 Improving air quality
- SI2 Minimising carbon emissions
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy streets
- T5 Cycling
- T7 Deliveries, servicing and construction

### **5.3 SPD/SPG/Other**

- Child Friendly Places SPD June 2021
- Hackney Planning Contributions SPD 2020
- Hackney Sustainable Design and Construction SPD 2016
- GLA City Fringe Opportunity Area Planning Framework 2014
- GLA Control of Dust and Emissions During Construction and Demolition 2014
- GLA Sustainable Design and Construction SPD 2014
- GLA Accessible London SPG 2014

### **5.4 National Planning Policies**

- National Planning Policy Framework and Planning Practice Guidance

### **5.5 Legislation**

- Town and Country Planning Act 1990 (as amended)

### 6. COMMENT

#### 6.1 Background

- 6.1.1 The proposals comprise works of enhancement and improvement to Shoreditch Park including new sports facilities, ball courts, children's play area, ecological improvements and hard/soft landscaping; Demolition of existing play hut building and construction of new play hut building to the west of the existing hut. The landscaping proposals are intended to complement and be an addition to the landscaping proposals proposed around Shoreditch Park as part of the Britannia Leisure Centre development.
- 6.1.2 The new play area is located in the south west corner of the site adjacent to Rushton Street. A new 'sports plaza' is proposed in the southern area of the site adjacent Mintern Street and Bridport Place, and comprises a Multi Use Games Area (MUGA), beach volleyball court, (which replaces the existing court), tree plaza area with outdoor seating, table tennis tables, and outdoor gym. The 'Javelin Thrower' statue which was previously located at the entrance to the old Britannia Leisure Centre is proposed to be relocated within the Sports Plaza area of the park.
- 6.1.3 The existing adventure playground which is currently screened by a metal palisade fence will be enhanced with new boundary treatments, including a curved corner to allow greater freedom of movement into and out of Dorothy Thurtle Gardens. The existing hut within the adventure playground area is proposed to be demolished and replaced by a new larger single storey building to support the adventure playground use.
- 6.1.4 New landscaping is also proposed within Dorothy Thurtle Gardens which is located at the south east corner of the park. New planting, pathways and a play wall feature are proposed. Improvements to Bridport Place, which is the main north south route through the park, are proposed. This includes new surfacing, lighting and rain gardens. New tree planting and landscaping are also proposed throughout the park, with removal of railings around Dorothy Thurtle Gardens and Bridport Place along the southern boundary of the site.

#### 6.2 Land use

##### Principle of proposed development

- 6.2.1 The park comprises Designated Open Space, and is a Site of Importance for Nature Conservation. The park is also located within an area of open space deficiency within the borough. As such the park is an important amenity space for the surrounding community. The majority of homes in the surrounding area do not benefit from the use of private gardens and as such Shoreditch Park is a popular and heavily used open space.
- 6.2.2 London Plan Policy S4 (play and informal recreation) states that development should increase opportunities for play and informal recreation, including incidental play opportunities. Policy S5 (sports and recreation) states that development proposals should enhance provision of sports facilities in accessible locations, and existing provision should be protected. In addition the policy states that "*Where facilities are proposed on existing open space,*

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*boroughs should consider these in light of policies on protecting open space (Policy G2 London's Green Belt, Policy G3 Metropolitan Open Land and Policy G4 Open space) and the borough's own assessment of needs and opportunities for sports facilities, and the potential impact that the development will have".*

- 6.2.3 London Plan Policy G4 states that: development should not result in the loss of open space; and where possible create areas of publicly accessible open space, particularly in areas of deficiency.
- 6.2.4 Hackney Policy LP46 reiterates and expands on the position of the above London Plan policies and states that designated open space will be protected. *"Small scale ancillary developments which enhance the park and open space offer, such as refreshment facilities, public conveniences, drinking fountains, public art installations or outdoor play and fitness equipment will be permitted provided that they are: i. Of a high standard of design and quality, safe and accessible to all; and ii. Do not have a detrimental impact on nature conservation and biodiversity, and should seek to improve such; and iii. Do not result in the loss of functional open space where possible; and iv. Do not detract from the overall function, character and appearance of the park or open space".* An assessment of the proposals against the above criteria is set out below:
- 6.2.5 Part i: Small scale ancillary development of a high standard of design: The proposed development, in terms of a new children's play area, MUGA, beach volleyball court, new building to support the use of the adventure play area, new hard and soft landscaping, ecological enhancements, lighting, seating and drinking fountains can all be considered as small scale ancillary development which would enhance the park, in accordance with the general aspirations of the policy. All equipment and street furniture has been thoughtfully designed, following extensive public consultation, and this is discussed further in the design section.
- 6.2.6 Part ii: Does not have an adverse impact on nature conservation and biodiversity: The proposals include significant amounts of biodiversity enhancement, including 72 new trees (4 trees are relocated to accommodate the sports plaza proposals), a new wildflower meadow area, native hedgerow planting, rain gardens, log piles, bird / bat boxes, insect hotels are also proposed. This is considered to represent a significant improvement in biodiversity in comparison with the existing situation which comprises large areas of unimproved amenity grassland. This issue is considered further in the landscape / biodiversity section below.
- 6.2.7 Part iii: Do not result in the loss of functional open space where possible: The proposals do result in the introduction of a Multi Use Games Area (MUGA) which is enclosed by fencing. However, this facility will still be accessible for all, in a similar manner to other MUGAs in parks and common land in the borough such as London Fields. The existing adventure playground is currently secured by fencing as it can only be used with supervision, and the proposals would not result in any changes to the accessibility of this space. As such the proposals would not result in the loss of functional open space as all areas of the park which were publicly accessible will remain so.
- 6.2.8 Part iv: Do not detract from the overall function, character and appearance of



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the park or open space: The proposals will increase the range of sports provision within the park, improve children's play provision, and also deliver new landscaping and biodiversity enhancements. As such the proposals are considered to improve the function, character and appearance of the park.

- 6.2.9 Policy LP50 also states that the Council will protect existing play and recreation facilities and support the development of new formal and informal play facilities: *“New play spaces should: i. Be well located and easily accessible by pedestrian, cycling or bus routes, and ii. Be inclusive to all, and iii. Provide a range of different types of play facilities and experiences for children of different abilities, and iv. Be sustainable and easy to maintain”.*
- 6.2.10 The proposed play area is proposed within the same location as existing at the southern edge of the park adjacent to Bridport Place and Mintern Street. This is a central and easily accessible location via a range of transport modes. The play space has been designed in consultation with the Young Hackney group and is intended to provide exciting opportunities for play for a full range of age groups and abilities. An assessment of proposals against the criteria within the Child Friendly Places SPD has also been undertaken and considered further below. The play area has been designed to connect to the ecological value of the park, using sustainable and natural materials / playable features where possible. Play features are proposed to be accessible. Tree planting and accessible mounds are proposed to be accessed via semi circular hard surfaced paths. Seating and a drinking water fountain are also proposed within the play area. A number of other informal play features are also interspersed around the park including playable rain gardens, stepping stones, climbing logs and posts. As such the proposals are considered to meet parts i, ii, iii and iv of policy LP50.
- 6.2.11 It is also noted that the buildings H1 and H2 within the Britannia Leisure Centre development, did not include on site play provision for children aged 0-5, as it was felt that better facilities could be provided in the park itself. As such the planning permission included a financial contribution of £68,095 toward play provision in the park to meet the needs of the development. The proposed location of the play area is still considered easily accessible from H1/H2 and will include a greater range of facilities / equipment for children, than if located on site / or separate from the main park play provision.

### 6.3 Design and conservation

- 6.3.1 Landscaping / public realm / open space: Overall the landscape design comes from a successful public consultation exercise where local priorities have shaped the proposals. There is an emphasis on improved ecology, improved play provision, improved accessibility and more opportunities to spend time in the park. Overall the plans show a significant upgrade to the park with many exciting ideas. The change to the alignment of the corner of the adventure playground will improve the relationship between Dorothy Thurtle Gardens and the rest of the park. The removal of railings in the south east and southern corners of the park, and replacement with native planted hedges will create a softer and more natural park edge in these areas.
- 6.3.2 The proposed sports plaza with beach volleyball court, MUGA, with associated fencing and lighting, and storage containers will be visible from

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Rushton Street and Mintern Street to the south. However the visual impact of these features will be mitigated by new tree planting adjacent to the sports plaza and the proposed native species hedge along this boundary. In addition the appearance of the storage containers will be softened, with timber cladding and a green roof. As such the impact of these sports and ancillary supporting features on the openness and natural character of the park is not considered to be unduly harmful.

- 6.3.3 Conservation: Comments were raised at pre-application stage that the retained heritage streetlights lining Bridport Place within the park should be well integrated within the improvements to this route including the rain gardens. Details of this arrangement are limited and are proposed to be secured as part of a planning condition.
- 6.3.4 The Javelin Man sculpture which was previously located in front of the old Britannia Leisure Centre, is now proposed to be sited on a plinth within the Sports Plaza. This is considered a prominent and appropriate location for the high quality public art piece, and enhances the character of this space.
- 6.3.5 It is noted that the Regents Canal Conservation Area is situated on the opposite side of Poole Street from the northern section of the park. However, no works to this area of the park are proposed. Proposals involving new hard structures such as the MUGA and play area are concentrated in the southern section of the site and are some distance from Poole Street. As such, the proposals will not have any impact upon the setting of the Conservation Area.
- 6.3.5 Adventure playground hut architecture: The existing adventure playground hut which provides ancillary office and support space for use of the adventure playground is proposed to be demolished and replaced with a larger single storey building. The new building is located further to western boundary of the adventure play area and features toilets, kitchens, multi purpose spaces and a roof terrace with slide to ground level. The proposed building is larger than existing but would still be subservient in scale in relation to the space and will be screened by existing vegetation around the boundary of the adventure play area. As such it will not detract from the appearance of the wider park.
- 6.3.6 Child Friendly Places: The Child Friendly Places SPD was adopted by the Council in June 2021 and promotes a range of measures which can be incorporated into developments, to create more child friendly places. The SPD includes an appraisal criteria which is intended for use by developers, designers and decision makers in appraising how child-friendly development proposals are. The SPD includes separate criteria for doorstep locations, streets and destination spaces such as parks.
- 6.3.7 The applicants have undertaken an appraisal of proposals against the 'destinations' criteria in the SPD and consider that the proposals achieve a green score for each criteria: safety and welcome feel for children; lighting; legibility and signposting; opportunities for play and fun; opportunities to sit and gather together; space feels well looked after; visual interest; ease of movement; contact with nature; and support for healthier lifestyles. The applicant's rationale for the scoring conclusions have been reviewed by officers and are considered reasonable, demonstrating that the proposals

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have been developed from the perspective of making the park a child friendly place, in accordance with the SPD.

### 6.4 Community safety / Amenity

6.4.1 Comments from the Met Police Secure by Design Officer with regard to community safety in the park are noted and the applicants have given them further consideration and they have confirmed that trees specified have stem heights greater than 2m in order to maintain visibility. Shrubs are specified as small so that they do not obscure line of sight across the park. Bench design has also been selected to minimise potential for anti-social behaviour. The play area includes two gated entrances, and a style entrance. This has been stated to be in line with Royal Society for Prevention of Accidents (RoSPA) guidance to allow for means of escape for children to prevent bullying. Details of security for doors and windows for the new building within the adventure play area and the storage containers within the park will be selected in consultation with the Design out Crime advisor. The above measures are considered to be sufficient to address Met Police comments.

6.4.2 In addition the use of the MUGA has the potential to create noise and disturbance which could harm residential amenity. The applicants have confirmed that the proposed lighting to the MUGA will automatically turn off at 9pm. This will ensure that this space is not used at antisocial times of day and cause disturbance to the nearest residential units.

### 6.5 Transport

6.5.1 Vehicle access which is controlled by bollards for service vehicles is proposed along Bridport Place, and adjacent to the sports plaza to access the storage containers, green waste area and the adventure playground. This is similar to the existing situation and would not result in adverse impacts on pedestrian safety or the surrounding highway network. This is due to the low number of expected vehicle movements and that entry will be controlled for essential service vehicles only.

6.5.2 Bridport Place is currently a well used cycle route and conflict can occur between cyclists and park users. The redesigned route along Bridport Place is intended to facilitate cyclists, but encourage reduced speeds, to reduce conflicts between cyclists and other users. Cycle parking within accessible areas of the park, including the TfL cycle docking station, remains as existing. Four new cycle parking spaces are proposed within the secure adventure playground area for users and staff of this facility. As 4 staff are anticipated to work at the adventure playground, cycle parking exceeds the cycle parking standard with policy LP42.

### 6.6 Biodiversity / Urban greening / trees / Sustainable Drainage

6.6.1 Biodiversity: London Plan Policy G6 states that Sites of Importance for Nature Conservation (SINC) should be protected. *“Where development proposals cause unavoidable harm to a SINC and is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts: 1) avoid damaging the significant ecological features of*

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*the site 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site 3) deliver off-site compensation of better biodiversity value. D Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. E Proposals which reduce deficiencies in access to nature should be considered positively”.*

- 6.6.2 Hackney Policy LP47 reiterates the position of policy G6 and states that “A. All development should protect and where possible enhance biodiversity leading to a net gain. B. All development should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features and link into the wider green infrastructure network. New development on or adjacent to Sites of Importance for Nature Conservation (SINCs), alongside watercourses and wetlands, Walthamstow Reservoirs Special Protection Area and Walthamstow Marshes Sites of Special Scientific Interest (in neighbouring Waltham Forest) must not have a detrimental impact on the biodiversity or nature conservation value of the site. Development will only be permitted where appropriate mitigation or compensatory measures are put in place”.
- 6.6.3 An ecology statement has been submitted in support of the application, including a phase 1 habitat survey. The report states that the site currently supports suitable commuting, foraging and roosting habitats for bats in the form of scattered trees, hedgerows, and tree lines which also provides ecological connectivity across the Site to the wider area. The four trees which are proposed to be relocated do not support features which are suitable for roosting bats, although two trees within the park which are unaltered by the development were noted as having large cavities suitable for roosting bats. The site also supported habitats for nesting birds. The areas of the park which are replaced with the sports plaza comprises amenity grassland of low ecological value.
- 6.6.4 In addition, the submitted Ecology Report notes that the proposed 6m high floodlighting for the MUGA could have some potential for lightspill. However this is mitigated by the fact that lighting is concentrated on the MUGA, the park already features some lighting and the proposed 9pm turn off time will reduce impacts from lightspill and ensures that the flood lighting will be turned off when bat foraging is most likely. As such the proposals would not result in adverse impacts upon protected species.
- 6.6.5 The submitted ecology report notes the proposed ecological enhancements, including native tree and hedgerow planting, wildflower meadow, log piles, rain gardens, bird and bat boxes, and the seeding and relaxed mowing regime on existing amenity grassland in the western and south-eastern regions of the Site. These are considered to mitigate the minimal habitat loss proposed and also provide new habitats, thus increasing habitat diversity within the site, provide additional opportunities for a range of species, and contribute to improving functional ecological connectivity across the site, resulting in a biodiversity net gain.
- 6.6.6 Officers have carefully reviewed the submitted report and accept its conclusions that the proposed ecological enhancements will outweigh the

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limited harm from loss of some amenity grassland, and MUGA floodlighting, and will result in a net biodiversity gain, in accordance with London Plan policy G6 and LP33 policy LP47. The inclusion of consistent lighting through all areas of the park as recommended by the Met Police crime advisor is not considered desirable as it would have an adverse impact on biodiversity. Lighting of the main most used routes, as currently takes place, would have less impact on biodiversity.

- 6.6.7 Urban Greening: The aspirations of London Plan policy G5 and LP33 policy LP48 to deliver urban greening as part of developments, and that major new developments should achieve an Urban Green Factor (UGF) score of 0.3-0.4 is noted. The development proposals do not constitute major development and as such the UGF score is not required for this development. The application proposals do result in some replacement of amenity grassland with a hard surfaced MUGA. However the proposals include a number of urban greening features such as rain gardens, new trees and landscaping, and a green roof to the storage container. As such the proposals are considered to broadly follow the aspirations of policy G5 as they provide a number of urban greening measures across the park.
- 6.6.8 Trees: London Plan policy G7 states that *“Development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy”*.
- 6.6.9 LP33 policy LP51 sets out similar considerations that *“All development proposals must retain trees of amenity value, especially veteran trees, and hedgerows and natural features, and must incorporate high quality landscaping... The removal of non-protected trees as part of development schemes will not be supported unless adequate replacement planting is proposed, or the removal is in the interests of good arboricultural practice”*.
- 6.6.10 An Arboricultural Impact Statement (AIS) has been submitted with the application which states that no trees will be lost as a result of the proposals. 4 Juvenile trees are proposed to be relocated to facilitate the sports plaza and play area. In addition A total of 72 new trees, comprising a range of species including birch and flowering trees, will be planted as part of the restoration scheme. These trees are largely contained to the playground and adjacent to the proposed sports area with some scattered trees through Dorothy Thurtle Gardens. The submitted AIS also considers impacts of proposed surfacing upon existing trees and considers that these are acceptable if carried out in an appropriate manner. Given the above officers accept the conclusions of the AIA and consider that the tree impacts are acceptable and fully mitigated by the extensive proposed tree planting in accordance with London Plan G7 and LP33 policy LP51.
- 6.6.6 Drainage: London Plan policy and LP33 Policy LP53 seek to reduce flood risk and implement sustainable drainage measures. A Sustainable Drainage Strategy has also been submitted which prioritises retention of surface water

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on site. The strategy proposes a geocell below ground storage to capture runoff from the MUGA, which will be allowed in to infiltrate the ground from a soakaway. Runoff from Bridport Place is proposed to be managed via rain gardens adjacent to this street. The proposed play area is predominantly permeably surfaced and as such no significant drainage is required for this element of the proposals. The proposed strategy is considered acceptable by the Council's drainage officer subject to appropriate conditions. The proposals are therefore considered to be in accordance with LP33 policy LP51 and London Plan policy G7.

### 6.7 Pollution

#### Noise

6.7.1 Policy LP58 states that new development will need to demonstrate that it would not result in adverse noise impacts upon nearby sensitive uses. Play and sports activity does have potential to generate noise. However the park is already in a sport and leisure recreation use with some noise generated during the day, and the proposals would not significantly change this. In addition, the automatic turnoff of lighting to the MUGA at 9pm will ensure that noise will not be generated at sensitive times during the night.

#### Ground pollution

6.7.2 A desktop-based Geo-environmental Investigation has been undertaken. Overall the level of risk of contamination ranged between Unlikely and High. Consequently, a High level of risk has been assigned to the site in respect of the proposed development. This is primarily due to the presence of soil containing construction waste materials on site as well as historical industrial land uses on site and very close by. As such, a condition is proposed requiring further ground investigation for contaminants prior to construction, as well as soil remediation if identified as necessary.

### 6.8 Community Infrastructure Levy (CIL)

6.8.1 The proposal is liable for a Community Infrastructure Levy (CIL) as it involves new build floor space of over 100m<sup>2</sup> 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 a play hut and supporting facilities in connection with the adventure play area (160sqm GIA), which can be considered to be within a community / education use. The Hackney and Mayoral CIL schedules have a rate of £0 for such uses and therefore no CIL contribution is required for the development.

### 6.13 Equalities Considerations

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

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and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.13.2 Having regard to the duty set out in the Equality Act 2010, the development proposals, comprising improved access to play, sport and recreation facilities, and enhanced access to nature / biodiversity improvements are considered to be positive in relation to equalities impact.

### **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.

### **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.



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

### **Prior to commencement (relevant part):**

#### **8.1.4 Details of materials**

Prior to the commencement of above ground works for the relevant part of the development, full details (including samples if appropriate) of the adventure playground hut, storage and welfare structures, including: facing materials; doors; windows; railings; roof surfacing, shall be submitted for approval. 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.

#### **8.1.5 Details of historic lampposts**

Prior to the commencement of the relevant part of the development, detailed plans and section drawings shall be submitted showing the relationship between proposed rain gardens in Bridport Place and historic lamp post columns, which shall be retained in situ. 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 safeguard the appearance and historic interest of the park.

### **Prior to occupation:**

#### **8.1.6 Biodiversity enhancements**

Details of Biodiversity enhancements including bird / bat boxes, log piles and insect hotels, shall be submitted to and approved in writing by the local planning authority, prior to the completion of the development. The approved details shall have been fully implemented prior to completion of the development.

REASON: To provide potential habitat for local wildlife.

#### **8.1.7 Contaminated land (pre-occupation)**

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





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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.

### **8.1.8 Secure by design accreditation**

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

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

### **8.1.9 Demolition of existing adventure play hut prior to occupation commencement of use of proposed adventure play building**

The existing hut within the adventure play area shall be demolished, and land restored to its original condition prior to first use of the hereby approved play hut building.

REASON: In order to prevent a proliferation of buildings on designated open space, and ensure that the open appearance of the park is safeguarded.

### **Compliance conditions**

#### **8.1.10 Sustainable Drainage**

The development shall at all times be completed in full accordance with the submitted Drainage Statement (ref: 1175-01 P01 dated 23/04/2021).

REASON: To enhance the character and ecology of the development and to promote sustainable urban drainage.

#### **8.1.11 Landscaping**

Hard and soft landscaping shall be carried out in full accordance with the submitted landscape plans (10769-LD-PLN-211 P02; 10769-LD-PLN-212 P02; 10769-LD-PLN-213 P02; 10769-LD-PLN-214 P02; 10769-LD-PLN-215 P02; 10769-LD-PLN-221 P02; 10769-LD-PLN-222 P02; 10769-LD-PLN-401 P02). All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the occupation date or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

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

#### **8.1.12 Management of MUGA**

The floodlighting to the MUGA shall be turned off at or before 9pm each day

REASON: To ensure that the proposed development does not have an adverse impact upon residential amenity and biodiversity.

### **Recommendation B**

8.2 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



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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.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.7 Hours of Building Works
- SI.25 Disabled Person's Provisions
- SI.34 Landscaping

NSI - The applicant must seek the continual advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.nw@met.police.uk or 0208 733 3465.

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

	BACKGROUND PAPERS	NAME/DESIGNATION AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website. Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies Other background papers referred to in this report are available for inspection upon request to the officer named in this section. All documents that are material to the preparation of this report are referenced in the report	Steve Fraser-Lim Planning Officer (Major applications) 020 8356 8093	2 Hillman Street, London E8 1FB



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