

ADDRESS: Land Corner Of Ormsby Street And Pearson Street, London, E2 8JD	
WARD: Haggerston	
APPLICATION NUMBER: 2020/4117	REPORT AUTHOR: Nick Bovaird
DRAWING NUMBERS: 11395 L(90)001 B, 11395 L(00)201 rev F, L(00)203 A, L (04) 420 B, L (04) 421 A, L (04) 422 A, L (04) 423 A, L (04) 424, L (04) 425, L (04) 426, L (04) 427, L (04) 430 B, L (04) 431 A, L (04) 440 A, L (04) 441 B, L(00)210 rev C, L (00) 300 A, L(00) 500, L(00) 501 A, L(00) 502 A, L(00) 503, L(00) 600, L(00) 700 C, L(00) 701 C, L(00) 702 C, L(04)001 rev C, L(04)002 rev D, L(04)003 rev B	VALID DATE: 11-02-2021
Supporting (Planning) Statement by Halliday Fraser Munro, Design and Access Statement by Halliday Fraser Munro, Amended Design Treatment, Amended Marketing Strategy, Snoozebox proposed rates and rents for business units, Amended Transport Statement Rev 2 by AECOM, Flood Risk Assessment and Drainage Strategy Rev B by AECOM, Market Evidence Assessment August 2020 by Hatch, Energy & Sustainability Report Rev 2 by AECOM, Amended Environmental Noise Assessment Rev 4 by AECOM, Snoozebox Hoxton – Coach Parking by AECOM, Design Out Crime Responses from The Portable Living Group.	
AGENT: Mr Michael Westwater Halliday Fraser Munro 8 Victoria Street Aberdeen AB10 1XB	APPLICANT: Mr Liam Murphy Wellesley House 204 London Road Waterlooville Hampshire PO7 7AN
PROPOSAL: Temporary (5 years) change of use from storage (Use Class B8) to mixed use (C1/E(g)/B8); erection of shipping containers to create three storeys of business units (E(g)/B8) and three storeys of hotel rooms (C1 Use Class, 44 bedrooms); erection of a three storey mixed use building with ground floor hotel reception (C1) and upper floors in office use (E(g)); installation of additional shipping containers to provide ancillary space, cycle and refuse storage; hard and soft landscaping to include installation of railings along boundary and external seating.	

POST SUBMISSION REVISIONS:

- Provision of documents relating to Coach Parking and Secure by Design.

RECOMMENDATION SUMMARY:

Grant planning permission subject to conditions and legal agreement.

NOTE TO MEMBERS:

This application is presented to the Planning Sub-Committee as it constitutes 'Major development'.

ANALYSIS INFORMATION
ZONING DESIGNATION:

(Yes)

(No)

CPZ	Hoxton	
Conservation Area		No
Listed Building (Statutory)		No
Listed Building (Local)		No
Priority Employment Area		Yes (POA)

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	B8	Surface level storage area	1770
Proposed	B1 B8 C1	Office/Workspace Storage Hotel	1498 163 625

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	2 On Street as required	8 Hotel 36 Office

CASE OFFICER'S REPORT
1.0 SITE CONTEXT

- 1.1 The site is located to the south of How's Street and is bounded by Ormsby Street to the east and the Overground line to the west. It is currently vacant but until recently it

was occupied by a number of shipping containers and a corrugated metal warehouse building.

- 1.2 The character of the area surrounding the site is a mix of commercial and residential uses. To the immediate east of the application site lies Randal Cremer Primary School. Adjoining the site to the west is a row of railway arch commercial properties with their rear facing the proposal site and which front onto Geffrye Street. Across How's Street to the north lies a seven storey residential building. Across Pearson Street to the south is a single storey warehouse building.
- 1.3 The site is designated a Priority Office Area (Kingsland) in Hackney's adopted Local Plan 2033. It does not lie in a Town Centre.
- 1.4 The site is located within an area that is subject to a Controlled Parking Zone (CPZ) and has a Public Transport Accessibility Level (PTAL) rating of 5 to 6a (on a scale of 1a – 6b where 6b is the most accessible).

2.0 Conservation Implications

- 2.1 The site is not within a conservation area. Kingsland Conservation area lies beyond the arches, to the west, where the residential terrace on the south side of Pearson Street is Grade II listed. The site is also located in the proximity of the Geffrye Museum (now the Museum of the Home), which is Grade I Listed and located to the south west of the application site. Randal Cremer Primary School is a non-designated heritage asset.

3. History

- 3.1 No planning or enforcement history.

4.0 Consultation

- 4.1 Date Statutory Consultation Period Started: 25th February 2021.
- 4.2 Date Statutory Consultation Period Ended: 18th March 2021
- 4.3 Site Notices: Yes.
- 4.4 Press Advert: Yes

4.5 Neighbours

Letters of consultation were sent to 163 adjoining owners/occupiers.

At the time of writing the report (26/04/2021), two objections have been received. The objections were made on the following grounds and are considered in the report that follows:

- Noise and anti-social behaviour on site and in the surrounding streets from a low cost hotel use servicing the Shoreditch area;

- Impact on existing water, electricity and digital infrastructure;
- Hours of operation should be defined;
- Impact of the construction period on neighbouring residents and pupils/parents of the adjacent school;
- The consultation process should include all the parents of the adjacent school;
- Impact on local traffic, parking and road access;
- The temporary use is likely to become permanent or semi-permanent;
- A previous application on the site (2020/0098) has now disappeared from the Council's website;
- The Council's website does not show details of the current application.

4.6 Statutory / Local Group Consultees

4.6.1 Transport for London (TFL):

No objection. Disabled parking should be identified within the vicinity of the site, in a location that is easily accessible on level ground. Any permission should be subject to conditions in respect of cycle parking quantity/standards, Construction Management, a Travel Plan and a Delivery and Servicing Plan.

4.6.2 Network Rail:

No objection.

4.6.3 Hackney Society:

We are concerned a more permanent use cannot be found or that this five-year use may stifle a permanent development. For this temporary use to be a sustainable development, the proposal must include a viable plan for its own decommissioning at the end of the period.

4.6.4 Hackney Swifts Society:

The inclusion of mostly native and wildlife-friendly planting and trees is welcome and we would like to see this included in the planning conditions. The scope for integrated bird and bat boxes is limited here as it is a temporary structure made of shipping containers (boxes specifically aimed at swifts and bats should be provided in long-term developments as they will return to the same site for years to come), but some external nestboxes for small birds and/ or starlings, and insect hotels, would be very welcome to contribute to a net gain for biodiversity.

Officer's Note: Conditions have been recommended in respect of landscaping, bird/bat boxes and insect habitats.

4.6.5 Thames Water:

No objection but recommend two informatives in respect of water pressure and construction near existing Thames Water assets.

4.6.6 Metropolitan Police (Secure by Design):

No objection.

Officer Note: Numerous comments were made by the Secure by Design Officer in respect of best practice and a response has been provided by the applicant as one of the documents to be approved. Recommended conditions in respect of an Operational Management Plan, Public Realm Lighting and Landscaping also relate to the security of the site.

4.6.7 London Overground Infrastructure Protection:

No objection. This site is close to London Overground assets, therefore London Underground Infrastructure Protection have no comments to make.

4.6.8 Railways for London:

No objection, subject to a number of conditions and informatives relating to the safety of the adjacent railway.

Officer's Note: These conditions and informatives have been recommended.

4.7 **Council Departments**

4.7.1 Transportation: No objection to the development in principle, subject to a variety of transport related legal agreement clauses and conditions. A payment of £118,191 should be made towards mitigating the impact of the development. This equates to Public Realm (£30,000), Highway Works £78,191 and an EV Car Club space (£10,000).

4.7.2 Streetscene: The public realm contributions should be made in full (£118,191).

4.7.3 Waste: No objection, on the basis of the provision of storage space for five 1,100 litre office bins and eight for the hotel.

4.7.4 Pollution Noise (to previous application 2020/0098): No objection, subject to mechanical plant noise, delivery and servicing plan, odour/steam (from the hotel) and hours of use conditions.

4.7.5 Pollution Air: An air quality assessment (AQA) needs to be undertaken. This must address the site suitability of the development in relation to air pollution and the potential impacts the development could have on the air quality within the locale during both the construction and operational phase of the development. This needs to include a construction dust assessment and an air quality neutral assessment. This can be requested in the form of a condition.

4.7.6 Pollution Land: No objection. The 0.20 hectare vacant land is on a Site of Potential Concern, given its use in the past, but contaminated land matters need not be addressed for this particular scheme since there would be no ground breaking or foundations.

Officer's Note: An informative has been recommended to remind the applicant of their responsibilities in this regard and advising them to contact the Hackney Land Pollution team if they require the breaking of the ground for any reason.

4.7.7 Drainage: No objection. The site is shown to have a 'high' risk of surface water flooding. It is noted that the proposed buildings will not remain on site for longer than five years. Water butts are proposed in all downpipes to capture rainwater for on site irrigation. As such, the scheme is acceptable, subject to conditions in respect of the sustainable drainage system and a scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk.

4.7.8 Sustainability: The energy and sustainability statement submitted only provides basic information about possible solutions to be adopted. The proposal may be considered acceptable subject to the imposition of conditions regarding the proposed air source heat pumps and photovoltaic cells, along with the provision of overheating and BREEAM assessments. Given the short lifespan planned for this development, the Carbon Offset figure has been calculated as a pro rata figure for the carbon offsetting over the lifespan of the development, at £58,242.

4.7.9 Employment, Skills and Adult Learning: We would like the S106 agreement to reflect our SPD in terms of employment and skills contributions and targets. This implies a full contribution in terms of Ways into Work, even though this is a temporary scheme.

Officers' Note: This aspect is discussed in the 'Ways Into Work' section at paragraph 6.9 below.

5.0 POLICIES

5.1 Local Plan 2033

- PP1 Public Realm
- PP8 Shoreditch and Hoxton
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non Designated Heritage Assets
- LP7 Advertisements
- LP8 Social and Community Infrastructure
- LP12 Housing Supply
- LP25 Visitor Accommodation
- LP26 New Employment Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP29 Affordable Workspace and Low Cost Employment Floorspace
- LP31 Local Jobs, Skills and Training

- LP38 Evening and Night Time Economy
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.2 London Plan (2021)

- SD1 Opportunity Areas
- SD4 The Central Activities Zone (CAZ)
- SD5 Offices, other strategic functions and residential development in the CAZ
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D9 Tall buildings
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- E1 Offices
- E2 Providing suitable business space
- E8 Sector growth opportunities and clusters
- E10 Visitor infrastructure
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- HC3 Strategic and Local Views
- G5 Urban greening
- G6 Biodiversity and access to nature
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling

- T6 Car parking
- T6.2 Office Parking
- T6.4 Hotel and leisure uses parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

Mayor of London Sustainable Design and Construction SPG
London Borough of Hackney Planning Contributions SPD

5.3 National Planning Policies/Guidance

National Planning Policy Framework (NPPF)
Planning Practice Guidance

5.4 Legislation

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 COMMENT

- 6.0.1 The application is for the use of the existing site by Portable Living Group to deliver a new pop-up concept 'Snoozebox' hotel (use class C1) for the provision of shipping containers over three storeys to provide:
- 79 Office (E(g)) units;
 - 11 Storage (B8) units;
 - 44 hotel rooms.
- 6.0.2 The shipping containers would be formed into terraces and connected via external walkways. The concrete boundary wall around the site would be replaced by railings. An outdoor terrace at first floor level would be provided above the storage units and positioned next to the railway viaduct and the rear of the railway arch premises.
- 6.0.3 The proposal would also involve the erection of a three storey mixed use building to provide the hotel reception and two storeys of further office space. In addition, the five additional shipping containers are proposed to provide cycle and plant storage. The proposed landscaping includes planting and bin storage. An existing warehouse shed covering approximately one quarter of the site was demolished in 2019.
- 6.0.4 Each room in the hotel would accommodate up to two adults and one child with one double and a single bunk-bed. An en-suite wet room with toilet/shower is included within each room. Provisions are to be included for DDA compliant rooms within the hotel to accommodate guests with personal mobility and access issues
- 6.0.5 The main considerations relevant to this application are therefore:

- 6.1 Principle of the development of the site and land uses;
- 6.2 Affordable Workspace
- 6.3 Design of the proposed development;
- 6.4 Quality of accommodation;
- 6.5 Potential impact upon the residential amenity of nearby occupiers;
- 6.6 Transport and Servicing
- 6.7 Energy and Sustainability;
- 6.8 Trees, Landscaping and Biodiversity;
- 6.9 Ways Into Work
- 6.10 Consideration of Consultee Responses
- 6.11 Planning contributions and Community Infrastructure Levy (CIL)

Each of these considerations is discussed in turn below.

6.1 Principle of the development of the site and land uses

Employment Floorspace

- 6.1.1 While there is no planning history for the site, its lawful use is considered to be B8 and the applicants have stated that this use has been in situ for at least twenty years. The site is currently vacant, having been last used for storage purposes in September 2018. The National Planning Policy Framework Chapter 11 considers the benefits of mixed use development. Since the adoption of Local Plan 2033 the site is within the new extension to the Kingsland Priority Office Area (POA) and policy LP27 therefore applies.
- 6.1.2 Following amendments to the scheme during the course of the application process the great majority of the site (72% of the proposed floorspace) would be in employment floorspace, of which 1498m² would be office units and 163m² would be storage units. This represents a considerable uplift in the level of employment floorspace and the quantum and quality of jobs provided by the site and is considered acceptable in principle.
- 6.1.3 The requirement of LP27 for Kingsland POA is that at least 50% of the floorspace in the proposal is in office use. The proposal would provide 65% office floorspace and is acceptable in this regard.
- 6.1.4 The applicants have accepted a condition that requires that the proposed office floorspace remains as such (Use Class E(g)) for the lifetime of the development. This is to ensure that use does not change freely within the wider Use Class E in a manner that would be detrimental to the working of the Priority Office Area. This condition is recommended.

Hotel Floorspace

- 6.1.5 As part of a mixed use scheme, the provision of hotel floorspace is not objected to in principle and it is considered that the proposed hotel element would not have a detrimental effect on the functioning of the POA.
- 6.1.6 LP25 (Visitor Accommodation) is clear that proposals for any new visitor accommodation, including short-term lettings, will be permitted only if they do not

result in the loss of general purpose housing or opportunities to provide employment uses. This is recognised as a difficult test to meet in circumstances such as are found at this proposal site. However, in this instance it is accepted that this is an application for a temporary use while a more permanent proposal is formulated and that the proposed hotel use is the reason that the large uplift in employment floorspace is also being proposed. On balance, it is considered that this test is met.

- 6.1.7 Part A of policy LP25, requires that “*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 they meet other criteria. 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) and an application for 295 bedrooms at 19 Great Eastern Street and 9 Hewett Street received a resolution to grant planning permission subject completion of S106 in April 2021 (ref: 2021/0406)), there is capacity for a further 613 hotel rooms before 2041 against GLA projections. It is therefore considered that there is sufficient demand for a 44 room hotel at this site.
- 6.1.8 The revisions to the scheme during the course of the previous application (2020/0098, rendered unavailable by the cyber attack), which rebalanced it towards the provision of employment floorspace, mean that the proposal is not for a large scale hotel and so LP25 does not object to its siting outside of the Central Area Zone. While the need for additional hotel rooms in this area is relatively small in comparison to the greater need for residential and employment floorspace, the provision of the proposed visitor accommodation will help relieve the pressure on land elsewhere in the Borough. For these reasons, the hotel use is considered acceptable in principle.

Conclusion

- 6.1.9 While the principle of the proposed mixed use is considered acceptable, this is subject to the detailed consideration of the material impacts that follows.

6.2 Affordable Workspace

- 6.2.1 As a major scheme on existing low cost employment land the requirement of LP29 is that the development “must re-provide the maximum economically feasible amount of low cost employment floorspace in perpetuity, at equivalent rents and service charges, suitable for the existing or equivalent uses, subject to current lease arrangements and the desire of existing businesses to remain on-site.” Low cost floorspace is described as “employment floorspace which may be secondary or tertiary in nature, of a lower quality or specification, with cheaper rents or leases, often providing space for start-ups, creative or light industrial occupiers such as artists or makers’ spaces” (paragraph 8.16 of Local Plan 2033). The site is currently vacant

and the previous rents are not known.

- 6.2.2 The current submission does not seek to re-provide the site as storage space. Instead, the proposed office and storage uses are weighted towards the provision of office space. This division of floorspace would greatly improve the employee yield of the site, reflects the new designation under Local Plan 2033 as a Priority Office Area and is not objected to in land use terms. In addition, the nature of the proposed provision within storage crates, despite that it would be well fitted out and flexible, is that it is not premium office space and would achieve lower market rents than might be expected for the area. The proposal also includes 10% of the office units and 10% of the storage units to be Affordable Workspace provided at 60% of the locality's market rent for the lifetime of the development. The submitted 'Proposed Rates and Rents' document makes clear that this level of provision is achievable. The precise rates would be agreed with a workspace provider at the time of occupation.
- 6.2.3 For these reasons, the proposal for Affordable Workspace rather than Low Cost Workspace, is considered to be in line with the aims and objectives of local and regional policy and is considered to be acceptable in these terms. The Heads of Terms in Recommendation B include this element of the scheme.

6.3 Design Considerations

Context

- 6.3.1 The existing site is rundown and the local context is varied. Randall Cremer School, to the east of the site is a Victorian building and a Non Designated Heritage Asset. Given the existing site condition and the varied context, the principle of the proposed development is considered to be acceptable on a temporary basis.

Layout and Massing

- 6.3.2 The existing site is largely empty and the demolition of the warehouse shed is not objected to. The proposal comprises several linear blocks, which run parallel to the adjacent railway line, along with a square plan block at the Pearson Street end. The blocks are constructed from shipping containers, some of which are stacked to a maximum height of three storeys, which is approximately 1 metre taller than the adjacent railway. The blocks are well spaced apart and the overall arrangement of the buildings and open spaces is considered to be generally acceptable, given the temporary nature of the proposal. The proposed height is considered acceptable within a context that includes buildings up to 8 storeys.

Appearance and Materials

- 6.3.3 The metal shipping containers are painted black and there is a uniformity in appearance across the blocks in terms of finishes, detailing, windows, doors and balconies, which creates a coherent, high quality form of development. Whilst the shipping container typology is a marked contrast to its context, it references the existing use of the site and is considered to be an acceptable temporary use of the site. Conditions have been recommended with regard to materials and detailed drawings of the windows, doors and balconies

Boundary Treatment and Landscaping

- 6.3.4 The existing boundary treatment along Ormsby Street and How's Street is of crude concrete walls and a sheet metal gate. The removal of the existing boundary is considered acceptable. The proposed boundaries are formed by the edges of the blocks or with railings similar to that currently existing at the Pearson Street end. The proposed Pearson Street end, which forms the hotel entrance, is more open and would be appropriately landscaped. Conditions are recommended in respect of both the boundary treatment and landscaping.

Conservation

- 6.3.5 The Grade I listed Geffrye Museum (now the Museum of the Home) is located approximately 100 metres south west of the site. The presence of the elevated railway and low scale of the proposal means that it will not be visible within the museum's setting and no harm is identified.
- 6.3.6 The Kingsland Conservation Area is located immediately west of the railway line. However, as the proposal only rises slightly higher than the railway, the proposal will not be visible from within the conservation area apart from glimpses through the railway arches on Hows Street and Pearson Street. These glimpses are not considered to give rise to any harmful impacts on the setting of the Conservation Area.
- 6.3.7 Randal Cremer Primary School is considered to be a Non Designated Heritage Asset and the proposed development is in the setting of the school. However, the existing state of this land is a negative element in the school's setting and does nothing to enhance its significance. The proposed development is three storeys in height, while the school is of three very tall storeys (in the hall block) and the mezzanine rooms in the building (on a more domestic scale) form six storeys. It is noted that the development is out of character with the school and that this is harmful to the setting of the Non Designated Heritage Asset. Nevertheless, it is considered that this harm is mitigated by the temporary nature of the permission and it is considered that the planning and other public benefits of the scheme outweigh the low level of harm caused to the significance of the Non Designated Heritage Asset under the test in Para 197 of the National Planning Policy Framework.

Conclusion

- 6.3.8 For these reasons, the design of the development is considered to be acceptable with regard to the site and its surrounding context, subject to conditions requiring further details of the windows, doors and balconies, boundary treatment and landscaping.

6.4 Quality of AccommodationEmployment Floorspace

- 6.4.1 Local Plan 2033 policy LP27 relates to new business (Class B1) floorspace and requires such floorspace to be flexible / adaptable enough to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or

independent commercial enterprises.

- 6.4.2 It is accepted that the proposed floorspace does not appear to meet these requirements, since the converted shipping containers are not spacious. Nevertheless, the containers would utilise a flexible wall system to allow enlargement of individual units if required. Two storeys of larger floorplates are also available at the three storey building facing Pearson Street. In addition, the proposed design has improved during the course of the application, with larger windows proposed to the container units and a first floor amenity terrace. As temporary accommodation to replace low quality existing storage space and to be rented to small companies, with the flexibility to combine units via as a company grows, the proposal is considered to be acceptable and likely to help meet an existing need.
- 6.4.3 LP48 requires that sufficient communal open space is provided for employees. Here there is communal space at ground level and terrace provided at first floor level. The proposal is also considered acceptable in this regard.

Hotel Floorspace

- 6.4.4 There is no policy requirement for particular standards in visitor accommodation. As a temporary proposal for budget accommodation, the proposal is considered acceptable. The units would be air conditioned and they would be soundproofed to ensure that they are not affected by the proximity of the railway line. A condition is recommended in relation to the soundproofing.
- 6.4.5 In line with LP33 policy LP25 four of the proposed 44 hotel rooms (10%) are designed as wheelchair accessible. A condition has been added in this regard.

6.5 Impact to Amenity

- 6.5.1 Given the nature and scale of the proposed development, the proposal is considered to be acceptable with regard to loss of daylight/sunlight; outlook and sense of enclosure and is not considered to result in an unacceptable overbearing impact.
- 6.5.2 However, given the nature of the use, it is considered that there is the potential for noise disturbance from the proposed hotel and ancillary commercial uses. As such, a full Operational Management Plan is recommended by condition, in order to ensure that the proposal would have an acceptable impact on nearby residential occupiers.
- 6.5.3 An objection states that hours of use should be required for the proposed uses. However no such hours of use are considered appropriate in this instance. It would be unreasonable to require hours of operation for a hotel use, given the 24 hour nature of the accommodation. As such, these have been left undefined and the recommended condition for an Operational Management Plan would ensure that the hotel use is well managed to mitigate impact on the amenity of nearby residents. Office (Class E(g)) uses are characterised by the lack of unacceptable amenity impacts. As such, given the POA designation and the surrounding context, it is considered unreasonable and unnecessary to restrict the hours of office use. The number of B8 units proposed is low and they replace those on a wholly B8 site that did not have any restrictions on the hours of use, so such restrictions are also considered unreasonable and unnecessary.

6.6 Transport and Servicing

6.6.1 Hoxton Railway station is located 280 metres from the site and there are a number of bus routes operating close to the site. The Public Transport Accessibility Level (PTAL) of the majority of the site is 6a which is classified as an “excellent” level of accessibility, and the northern part of the site has a PTAL rating of 5, a “good” level of accessibility.

Car and Cycle Parking

6.6.2 Given the excellent public transport accessibility of the site and access to local amenities, the majority of the anticipated trips are likely to be carried out via sustainable travel modes such as walking, cycling and public transport. There is no proposed on-site car parking, in line with the expectations of policy. The site is within a Controlled Parking Zone (CPZ) and a School Street is operational in close proximity to the application site on Ormsby Street and Pearson Street. Vehicular access is prohibited during the operational hours of the scheme (Monday - Friday between 8:00am - 9:00am and 3:00pm - 4:00pm) with the exception of permit holders.

6.6.3 Given the size of the development and importance of providing policy compliant, accessible disabled car parking spaces, the funded conversion of two blue badge disabled persons’ parking bays is required prior to occupation. This is one for each use and ensures that employees, guests or visitors are not discouraged or discriminated against when considering the application site as a place to live or work in Hackney.

6.6.4 The spaces should be located as close as possible to the entrance areas as possible. This should be under 50 metres. It is recommended that the submission and approval of a Parking Design Statement that identifies the two parking bays to be converted to disabled parking spaces be secured by legal agreement. This should include a contribution of £6,000 to fund the conversion of the spaces. The final locations will be subject to consultation with Parking Services and Transport and Highways teams at the Council when the obligation comes to be discharged.

6.6.5 Four shipping containers are provided for cycle parking, which would provide sufficient space for the single tier parking of staff bicycles. No staff changing or shower facilities are provided but this is considered acceptable, given the temporary nature of the permission. 4 visitor spaces are provided for the hotel use and a further 4 are required for the employment uses. These latter are not shown on the plans but there is sufficient space for them and a condition has been recommended to provide these cycle spaces prior to the occupation of the development.

Coach Parking

6.6.6 The Transport Statement (TS) states that it is unlikely that coaches will be used in connection with the proposed hotel. Following requests for further clarification, the applicant has stated that on the rare and sporadic occasions that coach trips do occur, it is envisaged that the coach would stop for the shortest possible time before moving to an alternative location to park. The total drop-off or pick-up time is estimated to not exceed 15 minutes.

- 6.6.7 The use of coaches to and from the application site is not supported by the Council for a number of reasons. These include: the constrained nature of Ormsby Street and the surrounding road network, close proximity of Randal Cremer Primary School and operation of the School Streets scheme on Pearson Street and Ormsby Street. A clause within the Operational Management Plan is therefore recommended to restrict coaches accessing the site within the hours of the Controlled Parking Zone, which restricts parking between Monday - Friday from 7:30am - 6:30pm and on Saturdays between 7:30am - 1:30pm.

Travel Plan

- 6.6.8 A Framework Travel Plan (FTP) has been produced and included in the Transport Assessment (TA). A full Travel Plan to promote sustainable travel choices will be required to be produced and implemented on occupation of the development. This will be secured through the legal agreement, inclusive of £5,555 contribution towards the monitoring of the Travel Plan.

Deliveries and Servicing

- 6.6.9 Delivery and servicing will occur on-street. Given the nature of the development, which includes a high number of small office units, a delivery and servicing plan is recommended by condition to ensure that this element of the proposal is acceptable in terms of its impact on the highway network.

Waste/Recycling

- 6.6.10 The Council's Waste Officer has reviewed the proposal and raises no objection to the location or capacity of waste storage provided. The applicant has agreed that there is sufficient storage space for five 1,100 litre waste/recycling bins for the office use and eight for the hotel use and that a twice weekly collection is appropriate. The proposal is considered to provide suitable waste and collection servicing arrangements.

Public Realm and Highway Improvement Works

- 6.6.11 In accordance with requirements of LP33 policy PP1, developments are expected to be integrated into the surrounding public realm and/or to provide contributions for urban realm improvements within the site vicinity. However, the proposed temporary development is a meantime use and any future permanent development would be expected to provide the highway works. As such, it is considered that Public Realm or Highways Works are not necessary to make this development acceptable.

Construction Logistics

- 6.6.12 Given the nature of the proposed development, a Construction Logistics Plan is required by condition, to mitigate the negative impact on the surrounding highway network. A CLP monitoring fee of £8750 has been secured within the legal agreement.

Summary

- 6.6.13 The development is considered acceptable with respect to the level of car, coach and cycle parking and servicing arrangements. The proposal promotes the use of sustainable transport modes and would not give rise to any adverse impacts to the surrounding highway network.
- 6.6.13 Conditions requiring the provision of cycle parking, construction and servicing/delivery management plans have been recommended, along with the restrictions to coach parking within the Operational Management Plan and a legal agreement to secure the provision of blue badge parking spaces and a travel plan.
- 6.6.14 In light of the above, it is considered that the proposed development is acceptable in terms of transport considerations.

6.7 Energy and Sustainability

- 6.7.1 The newly adopted London Plan requires that development be lean, clean, green and seen. The proposal is for the reuse of shipping containers, entailing a low embodied carbon for the operational development. The application has been accompanied by an energy statement, which makes clear that the proposal should be found acceptable, subject to conditions requiring the provision of photovoltaic cells and Air Source Heat Pumps. As such, those conditions have been recommended.
- 6.7.2 Carbon Offsetting is calculated to consider the shortfall in an energy strategy over a thirty year period. Given the temporary nature of the proposal, the Carbon Offset figure has been calculated as a pro rata figure for the carbon offsetting over the five year lifespan of the development, at £58,242.
- 6.7.3 Owing to the non-standard construction of the proposal, there remains a level of uncertainty as to whether the recycled storage units to be used are capable of practical conversion to a BREEAM 'Excellent' standard. As such, two conditions are recommended in this regard, a pre-commencement condition to provide a BREEAM design stage assessment and a post-occupation condition reflecting that best endeavours have been made to reach the BREEAM 'Excellent' standard. A further condition has been recommended that requires assessment of the risk of overheating, in line with the GLA's Energy Assessment guidance.

Flood Risk

- 6.7.4 The application site has a 'high' risk of surface water flooding and water butts are proposed in all downpipes to capture rainwater for on site irrigation.
- 6.7.5 The Council's Drainage team have reviewed the proposal and state no objection, As such, the scheme is acceptable, subject to conditions in respect of the sustainable drainage system and a scheme for the provision and implementation of flood resilient and resistant construction details and measures for the site against surface water flood risk.
- 6.7.6 Subject to the above conditions, the proposal is deemed to be in line with the requirements of local and regional policy.

Fire Safety

- 6.7.7 Following the adoption of the new London Plan, the applicant is providing a Fire Statement for review by Hackney Building Control and have made clear that it will be available prior to the date of committee. It will be addressed in the addendum to this report, to be published prior to the Sub-Committee meeting. As such, a condition is recommended to require that the findings of the Fire Statement are adhered to.

Conclusions

- 6.7.8 For these reasons, the building is considered to be properly sustainable, in line with the newly adopted policies of Hackney's Local Plan 2033 and the London Plan 2021.

6.8 Trees and Biodiversity

- 6.8.1 As a temporary development it is accepted that the potential for permanent habitats for biodiversity is limited. As such, the proposal includes bird and bat boxes (rather than bricks) and rubble piles, log piles & bug hotels in the amenity areas.
- 6.8.2 There are a number of small trees bordering the site but the proposal does not involve foundations and the shipping containers will be stacked in a similar manner to the shipping containers in the existing use. As such, the proposal is considered unlikely to have any significant detrimental impact on neighbouring trees.
- 6.8.3 The applicant has agreed the recommended condition requiring a biodiverse roof to be installed alongside the proposed photovoltaic cells.
- 6.8.4 In light of the above, the proposed development is considered to be acceptable in terms of biodiversity and its impact on trees.

6.9 Ways Into Work

- 6.9.1 While this is a temporary application, it is for a relatively lengthy (five year) period and involves a construction phase of an estimated 15 to 20 people. As such, a Ways into Work payment is considered to be justified for both the construction and end use phases. Nevertheless, it is considered to be unreasonable to require the full end use payment and, as such, despite an objection to the methodology from the Hackney Employment and Skills Team, the end use figure has been divided by 20 to reflect the five years of use rather than the 100 year typical lifetime of a development. This results in a total figure of £14,074.70 and, while this is lower than might typically be expected of a major development, it is considered acceptable because a permanent development can be expected in the short term that will provide another, more typical, Ways into Work payment.
- 6.9.2 The Heads of Terms of the Legal Agreement also include an Employment and Skills Plan, to ensure that the development is appropriate in this regard.

6.10 Consideration of Consultee Responses

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

Noise from Hotel Use for Existing Residents

Officer's Response: An operational management plan is proposed as a condition of the approval. If the management plan is satisfactory it is considered that the proposed temporary hotel use is not likely to create a significant additional level of noise than might result from housing, or office accommodation in the POA.

Impact on existing water, electricity and digital infrastructure

Officer's Response: Thames Water have provided a consultation response and raise no objection to the scheme. It is considered that the implications for this development on surrounding electricity and digital infrastructure is acceptable.

Impact of the construction period on neighbouring residents and pupils/parents of the adjacent school

Officer's Response: Limited weight can be afforded to the consideration of noise and disturbance from construction works given the otherwise acceptable nature of the proposal and temporary nature of the construction impact. A condition has been recommended that requires a construction management plan. In addition, controls outside of the planning system exist to ensure that disturbance from construction work is minimised. It is not considered that there are any constraints at or surrounding the site which would make the area particularly sensitive to disturbance from construction work and therefore justify further consideration. As such it is not considered that disturbance from construction work would justify the refusal of the application.

The consultation process should include all the parents of the adjacent school

Officer's Response: The consultation process included a letter to the adjacent school, who may inform parents as they wish. In addition, site notices were placed on adjacent streets and an advertisement placed in the Hackney Gazette, in line with the expectations of the Hackney Statement of Community Involvement.

The temporary use is likely to become permanent or semi-permanent

Officer's Response: The site remains prime development land and the temporary use of the site can be reassessed at the end of the proposed five year period. The nature of the proposed construction renders it easy to dismantle and the recommended condition requires the dismantling of the operational development at the end of the five year period. As such it would be unreasonable to refuse this application on the basis that the appropriateness of the development could not be reassessed in the future.

A previous application on the site (2020/0098) has now disappeared from the Council's website

Officer's Response: The previous application was rendered inaccessible to all as a result of the cyber attack suffered by Council systems in October 2020. This is the reason behind the resubmission of the application and explains why it is not available to be viewed.

The Council's website does not show details of the current application

Officer's Response: The objector was then notified of the correct way to access the Council's website. The application appears to have been accessible for viewing throughout the application period.

6.11 Planning contributions and Community Infrastructure Levy (CIL)

- 6.11.1 As an application for a temporary consent, the development does not attract a liability for Hackney or Mayoral CIL.
- 6.11.2 Recommended heads of terms for the legal agreement covering Hackney Works (operational phase), Hackney Works (construction phase), Employment Skills Plan, Provision of Affordable Workspace, Considerate Constructor Scheme, Travel Plan, Travel Plan monitoring, Car Free Agreement, blue badge spaces and other elements are set out in recommendation B.

7.0 CONCLUSION

- 7.1 The principle of the development of the site is considered acceptable in land use planning terms and in accordance with policy objectives within Local Plan 2033, the London Plan (2021) and National Planning Policy Framework. The amount of development, land uses and their distribution across the site has been adequately justified and is supported. It is considered that the proposed mix of uses would represent an enhanced employment offer over the existing surface level storage at the site and thereby help ensure the continuing functioning of the Priority Office Area.
- 7.2 The submitted scheme is considered to be an improvement in townscape terms over the existing situation and sufficiently well designed for a temporary use. The proposal provides affordable office accommodation and the proposed hotel rooms would go towards the need identified in the London Plan. The proposal is acceptable in planning terms in all other respects, including the impact on amenity of adjoining residents, the transport impact, sustainability and energy efficiency measures and its impact on local biodiversity.
- 7.3 The proposal is, on balance, therefore deemed to comply with pertinent policies and the granting of permission is recommended, subject to conditions and the completion of the legal agreement.

8.0 RECOMMENDATIONS

8.1 Recommendation A

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

8.1.1 - Commencement within three years

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

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

8.1.2 - Temporary Use

The uses of the site hereby permitted shall be operated for a limited period only until five years from the date of this permission, on or before which date the use shall be discontinued and all the buildings and structures hereby approved removed from the site, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure the site becomes available for a permanent development.

8.1.3 - 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.

8.1.4 - Use only as office space

The units shown as business units on the drawings hereby approved shall be used only as offices (Use Class E, subsection g), unless otherwise agreed in writing by the Local Planning Authority.

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

8.1.5 - Operational Management Plan

An Operational Management Plan must be submitted to and approved in writing following consideration by the Hackney Planning Sub-Committee, prior to the first use of the development. The management plan will include but not be limited to:

- Details of the use of the outside terrace;
- Numbers of security staff and hotel reception hours;
- Out of hours entry for hotel occupants;
- Coach pick up, drop off and parking prohibited within the hours of the CPZ (7:30-18.30 Mon-Fri and 7:30-13.30 on Saturdays).

The use of the premises hereby approved will be strictly carried out in accordance with the approved management plan.

REASON: To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise nuisance and to ensure that the Customer Management Plan is responsive to the concerns of residents.

8.1.6 - Design details to be approved

Notwithstanding the details shown on the plans hereby approved, prior to commencement of above ground works, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) 1:5 details of the proposed boundary treatment, including manufacturer and product details and precedent photographs.
- b) A material schedule and 1:20 detailed drawings of the proposed windows, doors and balconies, including manufacturer and product details and precedent photographs. Samples shall be provided on request.

The development shall be constructed in accordance with the details thereby approved.

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

8.1.7 – B1 Fit out and further actions strategy

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, before the hotel use is commenced. Full details of a fit out, marketing and further actions strategy for the uptake of the B1 premises. The strategy shall include, but not be limited to, details of the wall, ceiling and floor finishes, plumbing, wiring and broadband connectivity details etc, details of the minimum general scheme of marketing, details of the maximum rates, tenures and durations to be offered, any contributions towards the start-up costs of businesses that lease the space, etc. and shall include a defined duration for the marketing exercise. The further actions strategy shall include, but not be limited to, details of further fit out, flexibility for tenants, management arrangements, etc. shall include defined timescales for further actions to be undertaken.

The approved B1 space shall be fitted out in full accordance with the details approved within two months of the first occupation of the hotel rooms hereby approved and will not be marketed otherwise than in accordance with the details approved unless otherwise agreed in writing by the local planning authority. In the event that the approved fit out and marketing are unsuccessful in finding occupier/s the further actions will be undertaken in full, unless otherwise agreed in writing by the local planning authority.

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

8.1.8 - Landscaping and Public Realm Design

Prior to commencement of the hotel use, a detailed hard and soft landscaping scheme illustrated on detailed drawings, shall be submitted to and approved in writing

by the Local Planning Authority. Details shall include: any trees and other planting, including planters to front and terraces, showing location, species, type of stock, numbers of trees/plants, and areas to be seeded, turfed or left as a natural/biodiverse zone. All landscaping in accordance with the scheme, when approved, shall be carried out within a period of six months from the date on which the development of the site commences or shall be carried out in the first planting (and seeding) season following commencement of the development, and shall be maintained to the satisfaction of the Local Planning Authority for the lifetime of the development, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To enhance the character, appearance and ecology of the development and contribution to green infrastructure.

8.1.9 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.

8.1.10 - Fire safety strategy document

The details and measures set out in the Fire Safety strategy document hereby approved shall be carried out in full and maintained to the satisfaction of the Local Planning Authority for the lifetime of the development.

REASON: To ensure that the measures outlined to mitigate the risks of fire remain part of the development as constructed.

8.1.11 Non CHP boilers

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

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

8.1.12 - Air Quality Assessment

Prior to the commencement of the development hereby approved, a full air quality assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

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

8.1.13 Air Source Heat Pumps

Prior to the commencement of the development details that the proposed heat pumps comply with the minimum performance standards as set out in the Enhanced Capital

Allowances (ECA) product criteria for the relevant ASHP technology as well as evidence that the heat pumps comply with other relevant issues as outlined in the Microgeneration Certification Scheme Heat Pump Product Certification and the Seasonal Coefficient of Performance (SCOP), the Seasonal Performance Factor (SFP) and Seasonal Energy Efficiency ratio (SEER) are not worse than the coefficients indicated in the energy assessment, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To ensure that the systems adopted are low carbon and the development contributes towards local, regional and national commitments to a net-zero carbon emission future.

8.1.14 Photovoltaic Cells

Prior to occupation of the development hereby approved, a report by an accredited PV installer confirming that arrays with capacity as proposed in options 1 in the energy strategy assessment hereby approved (i.e. 22.95kWp for the business units, 25.5kWp for the business hub and 26.35kWp for the Hotel), have been installed on the roof development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

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

8.1.15 Installation of plant and machinery

No plant or machinery (except Photovoltaic Cells) 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 and surrounding occupiers.

8.1.16 Overheating assessment

Prior to the commencement of construction of the development hereby approved an assessment of the risk of overheating should be undertaken with dynamic simulation as indicated in the Greater London Authority Energy Assessment Guidance on preparing the energy assessments (2020, based on CIBSE TM52:2013) and adopting weather files as indicated in CIBSE TM49:2014, or any other methodology that may replace it. If overheating is present on the assessments, strategies proposed to mitigate the problem shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.17 – Pre Commencement BREEAM Assessment

Prior to the commencement of construction a BREEAM design stage assessment shall be submitted and approved in writing by the Local Planning Authority.

REASON: To ensure the development meets the sustainability requirements of local and regional policy.

8.1.18 – Post Occupation BREEAM Assessment

Within 12 weeks of occupation of a commercial unit of the development hereby approved, a BREEAM post-construction certificate for the retail and office assessments (or any assessment scheme that may replace it) confirming 'Excellent' ratings (or another scheme target of equivalent or better environmental performance) have been achieved shall be submitted to and approved in writing by the Local Planning Authority. If BREEAM 'Excellent' is not achievable, then details shall be submitted and approved by the Local Planning Authority that demonstrate the best endeavours made by the applicant to achieve it.

REASON: To ensure the development meets the sustainability requirements of local and regional policy.

8.1.19 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 a 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.

8.1.20 - Cycle Parking

Prior to the commencement of above ground works, details of the secure bicycle storage facilities shown on the drawings hereby approved, including layout, stand type and spacing, to include 8 hotel (plus 4 visitor) and 36 office (plus 4 visitor) spaces 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.

8.1.21 - Demolition and Construction Management Plan

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

- a) A demolition and construction method statement to include details of all noise and vibration (including noise from ancillary or temporary power supplies, details and locations of noisy activities including mobile plant machinery) and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS5228 and measures to control dust and preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A detailed demolition and construction logistics plan to include the following: the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/ footway closures during the construction period;
- c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;
- d) Details and locations of all noisy activities including mobile plant machinery, and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS 5228;
- e) Procedures for maintaining good public relations including complaint management, public consultation and liaison. Arrangements for liaison with the Council's Community Safety Team.
- f) Demonstration that the development shall be carried out in accordance with Railway for London's document entitled 'Special Conditions for Outside Parties developing on or near the railway'.
- g) Providing a reflected glare assessment to confirm there shall be no impact to Railway operations during or after the completion of the Development.

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

8.1.22 - Delivery and Servicing Plan

Prior to the occupation of development a detailed Delivery and Servicing Plan covering the matters set out below must be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details and measures thereby approved;

- Frequency of deliveries per day/week
- Size of vehicles
- How vehicles would be accommodated on the public highway
- Swept Path analysis (if applicable)
- The impact of delivery and servicing on the operation of the school, including the School Streets scheme, investigating how this may impact upon delivery and servicing trips. Delivery and servicing should be planned to avoid school peak times and should be carried out away from the school entrances

- No deliveries nor collections/ loading nor unloading, other than between the hours of 08:00 to 20:00 hours from Monday to Friday, 09:00 to 20:00 hours on Saturdays and Sundays and Public/Bank Holidays.

REASON: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise and to ensure that the surrounding streets, including the school are not significantly impacted.

8.1.23 – Extract and odour control systems

Prior to commencement of the hotel use details shall be submitted to and approved in writing by the Council, of a suitable cleaning schedule and/or maintenance contract for the extract and odour control systems. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by smell, steam and other effluent.

8.1.24 - Plant Noise

The total noise level from fixed plant (internal or external) shall be 5dB(A) or more below the background noise level at any noise sensitive premises at all times. The equipment shall be installed and constructed in accordance with the approved scheme and be maintained thereafter.

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

8.1.25 – Anti- vibration mounts

Prior to use, the extract/ ventilation and condenser systems and ducting at the premises shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

REASON: To ensure that occupiers of the neighbouring and proposed residential premises do not suffer a loss of amenity by reason of noise.

8.1.26 - Soundproofing of hotel rooms

Within the proposed hotel rooms (with the windows closed) the following internal noise levels shall be achieved;

- 30dB LAeq 8 hours between 23.00hrs - 07.00hrs and 35dB LAeq 16 hours 07.00hrs - 23.00hrs. No individual noise event to exceed 45dB L_{Amax} (measured with F time weighting).

REASON: To ensure an adequate quality of accommodation for future occupants as a result of the sound insulation installed.

8.1.27 - Sustainable Urban Drainage

No development shall commence, other than works of demolition, until full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan have been provided. It must be demonstrated that there will be no increase in surface water flow being discharged offsite and an overall reduction in

peak flow rate and volume with an allowance for climate change. The development shall not be carried out otherwise than in accordance with the details thereby approved.

REASON: To safeguard against flooding and pollution and to reduce waste.

8.1.28 – Flood Resilience and Resistance

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

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

8.1.29 - Bird and Bat Boxes and Insect Habitats

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

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

8.1.30 - Public Realm Lighting Strategy

Prior to the occupation of the hotel use, a public realm lighting strategy is to be submitted and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the details thus approved.

REASON: To ensure safe and satisfactory living conditions for hotel occupants and workers and to ensure the suitability of the scheme with regard to light pollution and local biodiversity.

8.1.31 – RfL: Glare from External Lighting

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

REASON: To protect the safe operation of the railway.

8.1.32 – Accessibility

Prior to first occupation, four of the ground floor hotel rooms hereby approved shall be made wheelchair accessible, as shown on drawing number 11395 - L(00) 501 A hereby approved, and shall be retained as such thereafter.

REASON: To assist in meeting the Local and Regional Plan priorities of ensuring the accessibility of new visitor accommodation.

8.1.33 – Notice to Rail for London

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

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

8.1.34 – Asset Protection Agreement

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

REASON: To protect the safe operation of the railway

8.1.35 – RfL: Works adjacent to the Railway

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

- Site clearance
- Geotechnical report for the site
- Foundation design and construction methodology (including excavation, verified calculations, risks assessments and method statements).
- Details of any temporary works and all equipment planned to be used in construction.
- Crane / Lifting Management for any cranes/ plant/ HAIB proposed to be used. This would typically include base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational procedure (including any radio communications), jacking up, derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius.

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

REASON: To protect the safe operation of the railway.

8.2 Recommendation B

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

Highways and Transportation

- Car Free Agreement – to restrict new business users of the development from obtaining parking permits to park in the surrounding CPZ bays.
- Provision of a Travel Plan and Travel Plan monitoring fee at £5,555.

- Submission and approval of a Car Park Design and Management Plan which identifies 2 potential spaces in the local area that could be converted to blue badge spaces alongside a contribution of £6,000 to fund the conversion of said spaces on the highway.
- A contribution of £8750 towards Construction Management Plan monitoring.
- A Carbon Offset payment of £58,242.

Hackney Works Contribution

- A Ways into Work contribution of £14,074.70 payable prior to the implementation of the development covering the construction (£11,543.00) and end use (£2,531.70) phases of the development.

Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council; Commitment to the Council's local labour and construction initiatives (30% on site employment and 30% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan.
- A support fee of £1,500 per apprentice placement in order to cover; pre-employment, recruitment process, post-employment mentoring and support; and
- If the length of the build/project does not allow for an apprenticeship placement, and it can be demonstrated that all reasonable endeavours have been undertaken to deliver the apprenticeship, a £7,000 fee per apprentice will be payable to allow for the creation of alternative training opportunities elsewhere in the borough.
- Considerate Constructor Scheme – the applicant to carry out all works in keeping with the National Considerate Constructor Scheme.

Affordable Workspace

- 10% Affordable Workspace (no more than 60% of the locality's market rent in perpetuity)

Costs

- 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, payable on or prior to completion of the deed.
- Monitoring costs payable on or prior to completion of the legal agreement.

8.3 Recommendation C

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

additions or deletions be first approved by the Sub-Committee).

9.0 INFORMATIVES

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

SI.2 Work Affecting Public Highway
SI.3 Sanitary, Ventilation and Drainage Arrangements
SI.6 Control of Pollution (Clean Air, Noise, etc.)
SI.27 Fire Precautions Act
SI.28 Refuse Storage and Disposal Arrangements
SI.45 The Construction (Design & Management) Regulations 1994
SI.48 Soundproofing

NSI This is a Site of Potential Concern with regard to Contaminated Land. The responsibility in this respect lies with the applicant. If the ground is required to be broken to facilitate the development, please contact the Hackney Land Pollution team for guidance on how to proceed.

NSI The proposed signage would require advertisement consent. This should be submitted prior to any proposed application.

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 proposed development is located within 15 metres of Thames Waters' underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

NSI The best practical means available in accordance with British Standard Code of Practice BS5228 shall be employed at all times to minimise the emission of noise from the site.

NSI Construction Hours

Construction activities audible at the facade of the nearest noise sensitive premises shall only be carried out between the specified hours: Monday to Friday 08:00-18:00 hours; Saturdays 08:00-13:00 hours; at no time on Sundays and Public Holidays unless otherwise agreed in prior consent to the Local Authority under the provisions of Section 61 of the Control of Pollution Act 1974.

NSI Dust Control

The emission and propagation of dust caused by on-site operations shall be minimised so as not to be a nuisance or prejudicial to health. Any dust abatement techniques must employ best practicable means. Further guidance can be obtained from the Greater London Authority's Best Practice Guidance: The control of dust and emissions from construction and demolition

NSI: Network Rail.

The applicants must ensure that the development does not:

- Encroach onto Network Rail land.
- Affect the safety, operation or integrity of the railway and its infrastructure.
- Undermine Network Rail's track and structures support zone.
- Cause undue movement, settlement, cant and twist in railway infrastructure.
- Place additional load on NR infrastructure.
- Adversely affect any railway land or structure.
- Over-sail or encroach upon the air-space of any Network Rail land.

In addition, please note the following:

- The development must ensure that any future maintenance can be conducted solely on the applicant's land.
- No Storm/surface water or effluent should be discharged from the site into Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail.
- All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 4.0m of the boundary with Network Rail.
- Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. Glare and distraction risk to the train drivers should be assessed to confirm the visibility of drivers are not affected.
- Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary.
- Where a proposal calls for a hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.
- Network Rail have list of PERMITTED tree species which are to be used adjacent to the railway.
- Any additional fencing required on the railway boundary must be independent of NRIL's fencing and allow room for maintenance of both fences.
- In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres.
- Proposed development should not import the risk of fire in Network Rail managed infrastructure.

- The developer should assure during the design that the proposal is suitable in terms of security to NR infrastructure.

NSI: Network Rail.

Railways for London may need to request that the applicant conducts radio surveys before and after the construction to assess the level of impact the development has on RfL's radio signal.

Signed.....

Date.....

ALED RICHARDS

Director, Public Realm

NO.	BACKGROUND PAPERS	NAME AND TELEPHONE EXTENSION OF ORIGINAL COPY	LOCATION CONTACT OFFICER
1.	<p>Application documents and LBH policies/guidance referred to in this report are available for inspection on the Council's website.</p> <p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>	Nick Bovaird x8291	2 Hillman Street, London E8 1FB

APPENDIX A – Site photos



Aerial view:



Corner of Ormsby Street and Pearson Street:



Two storey warehouse along Pearson Street:



How's Street Entrance: