

<b>ADDRESSES:</b> Frampton Park Estate, Frampton Park Road, London E9 7PF	
<b>WARD:</b> Victoria	<b>REPORT AUTHOR:</b> Barry Coughlan
<b>APPLICATION NUMBERS:</b> 2021/1065	<b>VALID DATE:</b> 23/03/2021
<b>DRAWING NUMBERS:</b>  A-ALL-PLN-000, A-ALL-PLN-001, A-EX-PLN-P-001, A-BE-EX-ELE-N, A-BE-EX-ELE-E, A-BE-EX-ELE-S, A-BE-EX-ELE-W, A-EX-PLN-P-002, A-AT-EX-ELE-N, A-AT-EX-ELE-E, A-AT-EX-ELE-S, A-AT-EX-ELE-W  A-BE-PLN-100 Rev A, A-BE-PLN-101, A-BE-PLN-102, A-BE-PLN-103, A-BE-PLN-104, A-BE-PLN-105, A-BE-PLN-106, A-BE-PLN-107, A-BE-PLN-108, A-BE-PLN-109, A-BE-ELE-N-S Rev A, A-BE-ELE-W-E, A-BE-SEC-AA, A-BE-BAY-500, A-BE-BAY-501  A-HH-PLN-100 Rev A, A-HH-ELE-E, A-HH-ELE-N, A-HH-ELE-S, A-HH-ELE-W, A-HH-SEC-AA, A-HH-SEC-BB-CC, A-HH-BAY-400 Rev A, A-HH-BAY-401 Rev A, L-BE-HH-PLN-01-100 Rev A  A-AT-PLN-01-100 Rev A, A-AT-PLN-01-101 Rev A, A-AT-PLN-01-102 Rev A, A-AT-PLN-01-103 Rev A, A-AT-PLN-01-104 Rev A, A-AT-PLN-01-105, A-AT-PLN-01-106, A-AT-PLN-01-107, A-AT-PLN-01-108 Rev A, A-AT-ELE-E, A-AT-ELE-N Rev A, A-AT-ELE-S Rev A, A-AT-ELE-W, A-AT-SEC-AA Rev A, A-AT-SEC-BB Rev A, A-AT-BAY-500, A-AT-BAY-501, L-AT-PLN-01-100 Rev A, A-AT-MAT, A-BE-MAT, A-HH-MAT	
<b>DOCUMENTS:</b>	

<p>Design and Access Statement March 2021, Planning Statement March 2021, Transport Assessment June 2020, Community Uses Report Feb 2021, Community Hall - Supplemental Planning Response, Energy and Sustainability Statement Dec 2020, Overheating Assessment July 2020, Air Quality Assessment Dec 2020, Overshadowing Assessment Dec 2020, Internal Daylight Report June 2020 (Bookend Site), Internal Daylight Report June 2020 (Community Centre Site), Daylight/Sunlight Report June 2020 (Bookend Site), Daylight/Sunlight Report Jan 2019 (Community Centre Site), Arboricultural Impact Assessment Aug 2020, Statement of Community Involvement March 2021, Health Impact Assessment Feb 2021, Below Ground Drainage Strategy June 2020, Flood Risk Assessment June 2021, Fire Safety Statement June 2020</p>	
<p><b>APPLICANT:</b></p> <p>London Borough of Hackney Housing Supply Programme</p>	<p><b>AGENT:</b></p> <p>Tibbalds</p>
<p><b>PROPOSAL:</b></p> <p>Demolition of the existing Frampton Park Community Hall and estate cleaning depot to rear; demolition of disused parking structure on Wooldridge Way; additional works associated with site clearance. Construction of 69 mixed tenure residential dwellings within two new blocks, one of part 4 and part 7 storeys and one of 8 storeys, and within the undercroft area of Tradescant House. Landscape and public realm improvements within the site boundary including provision of play space and reorganisation of existing car parking.</p>	
<p><b>RECOMMENDATION SUMMARY:</b></p> <p>Approve conditional planning permission subject to conditions and unilateral undertaking.</p>	
<p><b>POST-SUBMISSION AMENDMENTS:</b></p> <p>There have been minor design amendments made to the application post-submission in order to address Secure by Design comments - these are primarily related to internal and external access arrangements. Some additional detail has also been added to the ground floor facade of the north elevation at</p>	

the Atrium building in response to officer feedback. Given the nature and extent of these amendments, a re-consultation has not been considered necessary. The amended drawings have been available to view online in advance of the publication of this report.

Some additional information has also been submitted in relation to the loss of the community hall, principally in relation to the hall usage and the services that were once provided. The additional information does not propose any changes to the application or the means of mitigating the loss of the hall. As such, it is not considered to warrant a re-consultation. The information has been available to view on the Council’s website since its submission on 29/07/2021.

**NOTE TO MEMBERS:**

The application is being brought before members due to the size and nature of the application and the extent of public interest generated.

**ANALYSIS INFORMATION**

ZONING DESIGNATION: (Yes) (No)

CPZ	X	
Conservation Area	X	
Listed Building (Statutory)		X
Listed Building (Local)		X
Local Shopping Centre	X	
CAZ		X
PEA		X

**EXISTING LAND USE DETAILS**

LAND USE	USE DESCRIPTION	GIA (SQM)
F2 (b)	Community Hall	450.9
Sui Generis	Cleaning Depot	310
<b>TOTAL</b>		<b>760.9</b>

**PROPOSED AMENDED LAND USE DETAILS FOR THE MAIN APPLICATION**

LAND USE	USE DESCRIPTION	GIA (SQM)
C3	Residential	6,284
<b>TOTAL</b>		<b>3,836</b>

**RESIDENTIAL MIX:**

Unit size	No. of units	Overall provision (%)
1 Bed	24	35%
2 Bed	32	46%
3 Bed	12	17%
4 Bed	1	2%

<b>Total</b>	<b>69</b>	<b>100%</b>
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**TENURE MIX:**

<b>Tenure</b>	<b>Unit Size</b>	<b>No of units</b>	<b>Proportion</b>
Social Rent	1 bed	5	
	2 bed	10	
	3 bed +	8	
	<b>Total</b>	<b>23</b>	
Intermediate	1 bed	4	
	2 bed	6	
	3 bed +	2	
	<b>Total</b>	<b>12</b>	
Market Rent	1 bed 2p	15	
	2 beds 4p	16	
	3 beds 5p	3	
	<b>Total</b>	<b>34</b>	
<b>Total</b>		<b>25</b>	<b>100%</b>

**PARKING DETAILS:**

	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
<b>Existing</b>	32	0	0
<b>Proposed</b>	10	7	190

## CASE OFFICER'S REPORT

### 1. SITE AND CONTEXT

- 1.1 The proposal relates to two separate, adjacent parcels of land within the Frampton Park Estate. The first parcel (Site 1) is bounded by the rear of properties on Well Street to the east and buildings/landscaping within the wider Frampton Park Estate to the north, west and south respectively. The existing buildings on site comprise the two-storey Frampton Park Community Hall and a single storey cleaning depot with associated car parking/hardstanding. This site also includes the access roads to the north, east and west of the two buildings and a ground level car park located on the eastern part of the site. Landscaping associated with the Community Centre and wider estate is also located on the site.
- 1.2 The second parcel of land (Site 2) is located a short distance to the west and includes a car parking/garage structure to the west of Tullis House and the existing Council block known as Tradescant House. The site also includes the estate road Woolridge Way on its northern side along with the existing sports court to the east of Sloane House. The site is bounded by Frampton Park Road to the west and buildings within the wider Frampton Park Estate to the north, south and east. The garage structure is one storey (plus basement) in height and includes an area of hardstanding along with an access ramp. Tradescant House is part 3 storey, part 11 storeys in height but the development proposals relate to the ground floor undercroft spaces within this building only.
- 1.3 The surrounding context is primarily residential, comprising buildings within the Frampton Park Estate. These include the six storey Woolridge Way and part 3, part 6 storey Sloane House to the north; the six storey Fairchild House, 6 storey Forsyth House, 3 storey Mason House and the part 3, part 5, part 6 storey Petiver Close to the south/southeast; and the 6 storey Parkinson House to the east along with the 3 storey Frampton Park Baptist Church. To the east of the site are 3 storey buildings on Well Street with retail uses at ground floor level and residential on the floors above.
- 1.4 Vehicular access to the car park east of the community hall is from Woolridge Way and the cleaning depot car park is accessed from Petiver Close. The main pedestrian access to the community centre is located on Woolridge Way. Vehicular access to the garages is from Woolridge Way. Tradescant House is accessed from Frampton Park Road and Woolridge Way.
- 1.5 Homerton and Hackney Central Overground Stations are both located approximately 10 minutes away from the site by foot. There are a number of local bus routes on Mare Street to the west and Well Street to the east. The site has a PTAL rating of 4/5 which is 'good' accessibility as defined by TfL.

- 1.6 The site does not have any local plan designations but is located a short distance from the Well Street Local Shopping Centre to the north east.

## **2. CONSERVATION IMPLICATIONS**

- 2.1 The site is not located within a Conservation Area. The nearest Conservation Area is Victoria Park Conservation Area which is 50m to the east. There are no statutory or locally listed buildings in the immediate vicinity of the site. The nearest listed buildings are at Cassland Road, approximately 200m to the east.

## **3. HISTORY**

- 3.1 Planning Application 2007/3013 for the installation of 75 bicycle lockers within the Frampton Park Estate was granted planning permission on 25/01/2008.
- 3.2 Planning Application 2006/0947 for the replacement of windows at Tradescant House was granted planning permission on 26/06/2006.
- 3.3 There is no other relevant planning history at the development site.
- 3.4 An adjacent site to the north east obtained planning permission on 10/03/2017 (2016/1348) for the “Demolition of existing buildings and structures and erection of a part 4 and part 5 storey building to create 25 self-contained dwellings (11 x 1 bed, 8 x 2 bed and 6 x 3 bed); refuse and recycling facilities; cycle storage; landscaping and external works along Woolridge Way and Cambridge Passage including the reconfiguration of car-parking.” The development has recently been completed and is now occupied.

## **4. CONSULTATIONS**

- 4.1 Date initial statutory consultation period started: 19/04/2021
- 4.2 Date Statutory Consultation Period ended: 01/06/2021
- 4.3 Site Notices were placed near the sites and a notice was placed in the local press

### **4.4 Neighbours**

- 4.4.1 In addition to site and press notices, 542 notification letters were sent to nearby occupiers notifying them of the application. In response to these consultations a total of 9 objections and 1 support have been received from nearby occupiers/interested parties.
- 4.4.2 The grounds of objection and concerns can be summarised as follows:

- The community hall is in good condition and should be retained.
- The hall is not underused, as the Council claims. There remains a need for the hall among youth groups, the elderly and the general community, particularly since Covid.
- Where a community facility like the hall is lost, it should be re-provided. The proposed improvements to a different community hall on the estate does not make up for the loss of the hall.
- The Council prevented a youth group from continuing to use the hall and have intentionally suppressed demand for the hall by refusing bookings or failing to advertise the space.
- The site is not derelict or underused so should not be included in the Housing Supply Programme. OFFICER NOTE: The subject planning application is assessed on its own merits. The rationale for the site's inclusion in the HSP is not a material planning consideration.
- The proposed play street will give rise to amenity impacts and antisocial behaviour.
- The proposal will result in a loss of daylight/sunlight to neighbouring occupiers.
- The proposal will result in a loss of privacy to neighbouring occupiers.
- The proposed building is located too close to surrounding buildings and will create an increased sense of enclosure.
- The proposal will result in overcrowding on the estate.
- The construction of the development will have a negative environmental impact on the community.
- The proposal will replace a community hall with private housing.
- The proposal is too tall in comparison to its surroundings.
- Council tenants should have first priority to be rehoused in the block.
- The atrium building creates a 'gated community' which creates division on the estate.
- Proposed 'sunken garden' will become a source of anti-social behaviour.
- Reconfiguration of ground floor of Tradescant House will introduce bin odours to the entrance lobby.
- Further landscaping improvements should be carried out at the entrance to Tradescant House

The principles raised in the objections above are considered to have been addressed within the main body of the report unless otherwise noted above.

4.4.3 One of the objections received has been made on behalf of Frampton Park Tenants and Residents Association. The matters raised can be summarised as follows:

- The proposal would not re-provide the social infrastructure lost by the demolition of the community hall and is therefore contrary to policy.
- The community hall plays an important role in the community. The council should allocate funds to renovate the space rather than demolish it to build housing.

- The loss of the community hall is not offset by the plans to improve Elsdale Community Hall
- The TRA believes that the community hall has not been ‘underused’ as the council claims and the arguments to support this are disingenuous.
- The design and scale of the proposed buildings would have a harmful impact upon the daylight/sunlight of nearby residents.
- The ‘gated’ nature of the development would result in a lack of social cohesion.
- The development will include private flats at high prices which will contribute to the gentrification of the area.
- Consideration should be given to s149 of the Equalities Act 2010 in relation to the loss of the community hall.
- The £250,000 earmarked for the improvement and extension of Elsdale Community Hall is not guaranteed and may be insufficient to carry out the suggested works to the site.
- The enlarged Elsdale Hall would not be of a sufficient capacity to replace the facilities provided by Frampton Estate Community Hall.

The principles raised in the objections above are considered to have been addressed within the main body of the report unless otherwise noted above.

4.4.4 A petition has also been received in opposition to the proposal which has a total of 150 signatures. The matters raised can be summarised as follows:

- The community hall is not underused as the council claim and still provides a vital service to the community.
- The development will make the estate overcrowded.
- The council should reopen the hall for the good of the community. Many organisations would make use of the hall.
- The proposal would mainly provide private or shared ownership flats whereas council housing is what is most in need.

The principles raised in the objections above are considered to have been addressed within the main body of the report unless otherwise noted above.

4.4.5 The support received set out broad support for the development and the proposed improvements to the public realm.

## **4.5 Local Groups / Other Consultees**

### Hackney Society

4.5.1 We are concerned that the proposed 7-storey Atrium building (Site 2) will have a harmful impact on the outlook (visual amenity) sunlight and daylight to Tullis House and, to a lesser extent, Fairchild House. Notwithstanding the evidence presented in the daylight/sunlight



assessment, this impact clearly cannot be justified as it would have a damaging effect on the lives of the existing residents. Furthermore, although there is a great deal of information contained within the submitted documents, we still have no clear sense of how the proposed Atrium building (Site 2) will appear externally in context. Clearer 3D visualisations images of key views surrounding the proposal ought to be submitted to clarify this. We have no objection to the proposals which are situated on Site 1 (Tradescant House).

#### Hackney Swifts

- 4.5.2 This development is in an area where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest (recorded on the RSPB swift survey database), so we request that a significant number of integrated swift nesting bricks, reflecting the very large scale of this development in this location, are installed near roof level, which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and enhance the local biodiversity, in line with Hackney Council's guidance on this issue (Biodiversity Action Plan), and NPPF 2019. Biodiverse roofs, and integrated boxes for bats, which are also priority species found in this area (e.g. regularly recorded in Victoria Park), would be welcome to ensure a further gain for biodiversity in accordance with NPPF 2019. An ecologist would identify the best location in the development.

#### Metropolitan Police Designing Out Crime Team

- 4.5.3 Raised concerns with the initial design in relation to compartmentalisation of floors within the Atrium Building and ground floor access at Tradescant House and the Bookend Building. The design of the scheme has since been amended and the Designing Out Crime Team no longer object to the proposal, subject to a condition surrounding Secure by Design accreditation.

### **4.6 Statutory Consultees**

#### Thames Water

- 4.6.1 No objection subject to informatives

#### Fire Brigade

- 4.6.2 No response received.

### **4.7 Council Departments**

#### Environmental Services

*Air Quality*

4.7.1 No objections subject to conditions.

*Noise Pollution*

4.7.2 No objection subject to conditions.

Traffic and Transportation

4.7.3 No objection subject to conditions and the securing of contributions/obligations by way of legal agreement (detailed further below).

Drainage

4.7.4 No objections subject to conditions.

Waste Management

4.7.5 No objections subject to conditions.

Anti-Social Behaviour and Estate Safety Team

4.7.6 No objections.

Building Control

4.7.7 No objections in relation to Fire Safety, subject to the recommended condition.

**4.8 Design Review Panel**

4.8.1 The scheme was presented at Design Review Panel on 08/07/2019. The comments of the panel, which are based on an earlier iteration of the scheme, can be summarised as follows:

- The Panel were largely comfortable with much of the massing and found the proposed form interesting although panel members questioned some elements of it. Access to internal light seemed acceptable although consideration would need to be given to impact upon neighbouring daylight/sunlight.
- The Panel saw the courtyard as an open air lobby/hallway in terms of its function which does not need to be publicly accessible although it was recommended that it should be more visible from the public realm.
- The Panel raised some concerns with the ground floor treatments noting the large areas of blank frontage and the prominent plant room. Suggested plant be relocated to basement level or uses be introduced at ground floor level such as a reprovided community use or a retail use to

help activate the ground floor frontage. Also queried the quality of the new public spaces to the north and south of the atrium. The Panel suggested that the relationship between the rear of building on Well Street required more careful consideration.

- The Panel queried the treatment to the visible roof surface and suggested the roof contribute additional communal space.
- The Panel discussed the residential layouts noting that most rooms are unconventional shapes and raised some concern as to how furniture would be positioned.
- The panel suggested that further work was required to improve the character and materiality of the scheme at the community hall site to create a positive addition to the estate. Rich, solid and robust materials were recommended.
- The principle of the proposed undercroft houses and a new block at the west end of the existing was broadly supported although limited detail had been provided.
- The Panel suggested that the 6 storey bookend could be taller if it would help redistribute units from elsewhere.
- The Panel were of the view that the semi-sunken garden could be an interesting addition but that care should be taken integrating it into the estate's existing landscaping.

OFFICER COMMENT: The scheme has been revised since the above comments were made and various amendments have been made to address the panel's concerns.

## **5 Relevant Planning Policy**

### **5.1 Local Plan LP33 (2020)**

- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non Designated Heritage Assets
- LP6 Archaeology
- LP8 Social and Community Infrastructure
- LP9 Health and Wellbeing
- LP11 Utilities and Digital Connectivity Infrastructure
- LP12 Meeting Housing Needs and Locations for New Homes
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP17 Housing Design
- LP24 Preventing the Loss of Housing
- LP31 Local Jobs, Skills and Training
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development

- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating and Adapting to Climate Change
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks
- LP57 Waste
- LP58 Improving the Environment - Pollution

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

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- SD10 Strategic and local regeneration
  - 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
  - D6 Housing quality and standards
  - D7 Accessible housing
  - D8 Public realm
  - D11 Safety, security and resilience to emergency
  - D12 Fire safety
  - D14 Noise
- H1 Increasing housing supply
  - H2 Small sites
  - H4 Delivering affordable housing
  - H5 Threshold approach to applications
  - H6 Loss of existing housing and estate redevelopment
  - H8 Affordable housing tenure
  - H9 Ensuring the best use of stock
  - H10 Housing size mix
- S1 Developing London's social infrastructure
  - S4 Play and informal recreation
  - S5 Sports and recreation facilities
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
  - G1 Green infrastructure
  - G4 Open space
  - G5 Urban greening
  - G6 Biodiversity and access to nature
  - G7 Trees and woodlands

- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 8 Waste capacity and net waste self-sufficiency
- SI 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
- T6.1 Residential parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning

### **5.3 Strategic Policy Guidance**

Accessible London: achieving an inclusive environment SPG  
The Control of Dust and Emissions during Construction  
Character and Context  
Use of Planning Obligations in the funding of Crossrail and the Mayoral  
Infrastructure Levy  
Play and Informal Recreation SPG  
Planning for Equality and Diversity in London  
GLA Housing SPG  
Affordable Housing and Viability SPG  
Social Infrastructure SPG  
The Mayor's Transport Strategy  
Planning and Access for Disabled People: a good practice guide  
(ODPM)  
Mayor's Climate Change Adaptation Strategy  
Mayor's Climate Change Mitigation and Energy Strategy  
Hackney S106 Planning Contributions SPD  
Hackney Public Realm SPD  
Hackney Sustainable Design and Construction SPD  
Hackney Child Friendly SPD

### **5.4 National Policy**

National Planning Policy Framework (NPPF)  
  
National Planning Policy Guidance (NPPG)

## 6.0 COMMENT

### Description of Proposal

- 6.0.1 The proposal relates to two separate but adjacent sites within the Frampton Park Estate. Site 1 is the westernmost of the two sites and comprises Tradescant House and land between Tradescant House and Tullis House, along with the adjacent road and play courts. The proposal at Site 1 has two elements, the first known as Hidden Homes and the second known as the Bookend Building. Site 2 is the easternmost of the two sites and comprises the Frampton Park Community Centre, the cleaning depot and hardstanding to its rear, the adjacent estate roads and some car parking spaces.
- 6.0.2 The Hidden Homes proposal at Site 1 is to provide 5 new single storey homes within the undercroft spaces at the existing Tradescant House building. The undercroft space beneath the existing 11 storey tower, which is currently occupied by a substation, car parking and bin stores, would be reconfigured to provide new enclosed bin stores along with 1x1 bed and 1 x 3 bed residential units. The existing substation would also have a new enclosure and the entrance lobby to the building would be extended to occupy additional space beneath the southern part of the tower. The undercroft space beneath the eastern three storey element of Tradescant House, which does not currently contain any structures other than the structural pilotis supporting the building, would have three new residential units introduced comprising 2x3 bed and 1x1 bed units. There have been minor amendments to the access arrangements at these units since first submission following the comments of the Designing Out Crime Officer.
- 6.0.3 The Hidden Homes units beneath the 11 storey building would be accessed from the eastern elevation of the building via recessed entrances. Private amenity space would be provided on the western elevation with new planting to be introduced to provide privacy. The units beneath the 3 storey element would be accessed from recessed entrances on the northern elevation of this building with private amenity space, including steps down to the communal open space to the south, provided on the southern elevation. Cycle storage for the Hidden Homes units would be provided in cycle lockers within the undercroft of the northern 3 storey element of Tradescant House.
- 6.0.4 The Bookend Building proposal at Site 1 is to demolish the existing garage structure and erect a part 4, part 8 storey building abutting the western elevation of Tullis House. The 4 storey element would have the same width as Tullis House with the 8 storey element projecting forward of the building line to the north by approximately 5m. The building would provide 13 residential units (7x1 bed, 4x2 bed and 2x3 bed). The main access to the building would be from the northern elevation on Woolridge Way. Amenity space to each unit would be provided by a terrace at

ground floor level and projecting balconies on the upper floors. Cycle storage and refuse storage would be provided at ground floor level. There has been a minor amendment to the access arrangements at this block since first submission following the comments of the Designing Out Crime Officer.

- 6.0.5 Site 1 also includes public realm improvement works adjacent to the new Bookend Building and on Woolridge Way. Part of the space once occupied by the garage structures would now become a 'sunken garden' which slopes from west to east. The space would include reused paving slabs and play equipment and would provide a diagonal route from Woolridge Way to Forsyth House along with ramped access to the Hidden Homes units at the base of the three storey element of Tradescant House. Additional tree planting is also proposed at the base of Tradescant House and on Woolridge Way. Improvements are also proposed to the ball court north of Tullis House.
- 6.0.6 The proposal at Site 2 is to demolish the existing community hall building and the cleaning depot structures to the rear and to erect a part 4, part 7 storey building (known as the Atrium Building) comprising 51 units of residential accommodation (15 x 1 bed, 28 x 2 bed, 6 x 3 bed and 2 x 4 bed). The building would present a 4 storey frontage to the north and east with the 7 storey element located on the south west corner of the block, set back from the east and west elevations. The building includes an oval atrium space with deck access to the residential units and a central courtyard communal amenity space. There are undercroft access points to the atrium on the south, west and north elevations. Cycle and waste storage are provided at ground floor level. Two units have their primary access from ground level doors on the north east and north west corners of the block respectively. There have been some minor amendments to access arrangements within the development following comments made by the Designing Out Crime Officer.
- 6.0.7 The eastern elevation at ground floor level includes doors providing access to private amenity space at this level. Amenity space is otherwise provided from projecting balconies on the south, east and west elevations. Juliette balconies are also provided on the northern elevation. The ground floor elevations include an integrated bench on the southern elevation and an indicative location for a mural on the northern elevation, which was sought as an amendment to the scheme by officers in order to better animate this facade.
- 6.0.8 The proposal at site 2 also includes public realm works surrounding the Atrium Building. This includes the creation of a new play street on the northern part of the site on Woolridge Way with associated planting, hard landscaping and play equipment. New landscaping would also be introduced on the eastern part of the site, to the rear of properties on Well Street. To the south, the existing car parking provision on Petiver Close would be reconfigured and improvements undertaken to the

existing landscaped 'island'. Tree planting and re-provided car parking spaces would also be provided to the west of the Atrium building.

- 6.0.9 The application is submitted as part of the Council's Housing Supply Programme (HSP). The HSP, which gained Cabinet Approval in February 2016, seeks to develop Council owned sites in existing housing estates, on a range of unused or under-occupied sites across the borough. Nearby sites within Frampton Park Estate have already been developed as part of this programme: Lyttleton House to the north east of the site (2016/1348) and the former Frampton Arms site to the south (2016/1347).

### Considerations

The principal material planning considerations relevant to this application are as follows:

- 6.1 Principle of Land Use;
- 6.2 Design, Appearance and impact upon Heritage Assets;
- 6.3 Standard of Residential Accommodation;
- 6.4 Traffic and Transportation;
- 6.5 Energy and Carbon Emissions;
- 6.6 Environmental Impact upon Nearby Occupiers;
- 6.7 Trees, Landscape and Biodiversity;
- 6.8 Other Planning Matters;
- 6.9 Community Infrastructure Levy/Unilateral Undertaking
- 6.10 Equalities Considerations

Each of these considerations is discussed in turn below.

#### 6.1 The Principle of the Land Use

##### Loss of Community Hall

- 6.1.1 London Plan policy S1 states that development proposals that would result in a loss of social infrastructure in an area of defined need should only be permitted where: there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or; the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services. The policy also states that development proposals that seek to make best use of land, including the public-sector estate, should be supported, including through the rationalisation or sharing of facilities.
- 6.1.2 Hackney Local Plan policy LP states that proposals involving the loss of existing social and community infrastructure will be permitted where one of the following criteria is met:



- i. a replacement facility of equivalent or better quality that meets the needs currently met by the existing facility is provided; or
- ii. it has been demonstrated, as evidenced by at least a year of active marketing, that the facility is no longer required in its current use and it has been demonstrated that it is not suitable and viable for any other forms of social infrastructure for which there is a defined need in the locality, or for which there is a current or future need identified in the Infrastructure Needs Assessment and Delivery Plan (IDP).

- 6.1.3 The proposal would result in the loss of 450.9sqm of Class F2[b] (Community Hall) floorspace, of which approximately 300sqm is hall space and the remainder ancillary space. The hall has a maximum capacity of 130 people across two floors. Community Halls are classified as social and community infrastructure in the London Plan and Hackney's Local Plan. As such, the loss of such space must be justified in terms of any replacement community floorspace provided or it should be demonstrated that there is no longer a need for the space (as set out in the paragraphs above).
- 6.1.4 The application is supported by a Community Uses Report and a supplementary Community Uses document which set out the usage of the hall in the years preceding the submission of the application. During 2018, timetabled use of the hall was limited to 5 weekly events run by Public Health that totalled 6.5 hours a week. Each class had an average 12-15 attendees. Since 2018, two of the above classes have returned to their permanent home at Gascoyne Hall (the classes were located temporarily at Frampton Park Community Hall while Gascoyne Hall was being renovated), meaning the most recent regular use of the hall was for an average of 3.5 hours a week. The above figures were gathered prior to the Covid-19 Pandemic and have not been affected by lockdown restrictions.
- 6.1.5 Prior to 2018, the hall was used by Hackney Quest, a local youth organisation who were permitted by the Council to use the hall free of charge on a temporary basis. Following a Council-wide policy shift regarding how Council-run halls should be financed, this temporary arrangement ended and Hackney Quest relocated to nearby Poole Road (approximately 350m from the application site). The organisation continues to provide similar services to the local community from this location and from the Baptist Church Community Hall on Frampton Park Road (a breakdown of services previously provided at Frampton Park Community Hall versus those provided from their current locations has been provided by Hackney Quest and is included in the submission documents).
- 6.1.6 Information has also been submitted in relation to the location and capacity of nearby Council-run community halls. The two halls closest to Frampton Park Community Hall are at Pitcairn House Community Hall (5 minutes walk to the west - capacity 60) and Elsdale Community Hall (2

minutes walk to the north - capacity 50). The information provided in relation to the current usage of these halls indicates that there is sufficient capacity for the services which last operated at Frampton Park Hall being accommodated at either of the above halls. Of the two halls, Elsdale Community Hall is the most appropriate to accommodate the services provided at Frampton Park Hall being that it is closer and has a layout better suited to the types of activities concerned.

- 6.1.7 It is noted that Hackney's Infrastructure Delivery Report (IDP) includes an assessment of the need for community hall spaces in the borough. The report acknowledges that there is a high level of demand for community hall spaces, but that there is currently evidence of sufficient available booking capacity at Council-managed community halls.
- 6.1.8 Notwithstanding that Elsdale Community Hall could accommodate the timetabled activities that would no longer be held at Frampton Park Community Hall, it is proposed that a contribution of £250,000 be made to extend and improve Elsdale Community Hall in order to offset the loss of community floorspace arising from the proposal. The proposed improvements at Elsdale Hall are still under development but indicative proposals include an extension which would increase the area of the hall space by 23.6sqm along with internal reconfiguration and refurbishment, improved access arrangements and an enlargement of the garden area by 186sqm. These works of extension and renovation will provide a modernised community hall space for the local community, in close proximity to the subject site, and would ensure that the services once provided at Frampton Park Community Hall could continue to be offered, but in an improved space with better facilities and disabled access.
- 6.1.9 The works at Elsdale Community Hall would be subject to a separate planning application but have been costed at approximately £250,000. The Council's Community Halls Team have confirmed that there is otherwise no allocated budget for the renovation of the hall so the improvements would be directly facilitated by the contribution secured as part of the proposed development. It is recommended that the contribution be secured by way of Unilateral Undertaking, with a specific requirement for the money to be spent at Elsdale Community Hall.
- 6.1.10 On the above basis, it is considered that the loss of community hall space at the proposal site would not result in an unacceptable loss of social and community infrastructure. The information provided in relation to hall usage is considered sufficient to demonstrate that the space is currently underused and that there is spare capacity at adjacent halls to accommodate the services that most recently operated at the proposal site. The contribution to improve and extend Elsdale Hall, while not resulting in a like-for-like reprovision in floorspace terms, would also provide a replacement facility for the services previously provided at Frampton Park Community Hall that is of a better quality than the existing. The works to Elsdale Hall would also result in a consolidation

and rationalisation of Community Hall spaces in the local area based on an assessment of current usage levels. As such, the proposal is considered to be in accordance with London Plan policy S1 and Local Plan policy LP8. It is also noted that the loss of the community hall is part of a redevelopment proposal with significant public benefits such as a policy compliant affordable housing provision and substantial works of public realm improvement within the estate.

- 6.1.11 It is noted that some of the information submitted to justify the loss of the hall has been disputed by objectors. It is claimed that the usage levels presented are disingenuous and that demand for the hall has been intentionally suppressed by the Council in order to facilitate the current planning application. However, the information submitted with the application appears to show an extended period of under-use at the site and, while a shift in Council policy has resulted in some changes in the way the hall has been used over the last number of years (e.g. no longer allowing evening parties at any Council-run hall), there is insufficient evidence to suggest that the use or demand for the hall has been misrepresented or intentionally suppressed. The planning assessment must be based on the evidence submitted and any other material planning considerations. For the reasons outlined above, it is considered that the loss of the community hall arising from the proposal is justified and acceptable in this case.

#### Principle of Residential Use

- 6.1.12 Local Plan policy LP12 supports the supply of residential uses as part of development proposals and sets a target for the delivery of 1,330 homes per year for the life of the plan. Part C of the policy also states that infill housing development and innovative approaches to housing delivery on small sites will be supported subject to meeting other development plan policies. London Plan policy H1 also promotes housing supply, including on public-owned sites.
- 6.1.13 The proposal would provide 69 units of residential accommodation within a predominantly residential area. The proposal would also represent infill development which optimises housing delivery on Council owned land. As such, the principle of a residential use at the development sites is considered acceptable and is supported by the above mentioned policies.
- 6.1.14 London Plan policy D3 promotes the optimisation of site capacity through a site-specific, design-led approach. This includes a consideration of transport connectivity, local character and built form and the appropriateness of location and design in terms of preserving amenity. The proposal is considered to be of a design, massing and location that would optimise site capacity (discussed in further detail below). The proposal is therefore considered acceptable in terms of the density of residential units proposed.

### Affordable Housing

- 6.1.15 London Plan policy H4 sets a strategic target of 50% of units within new developments to be provided as genuinely affordable housing. For public sector land, the threshold approach to planning viability is set at 50%, meaning that where 50% affordable housing is proposed, the development follows the 'fast track' route where a viability assessment is not required. Within that 50%, policy H6 states that a minimum of 30% should be provided as low cost rent (London Affordable Rent or Social Rent), a minimum of 30% should be intermediate and the remaining 40% should be at an affordable tenure determined by each borough. Policy H8 requires estate redevelopments where the demolition of existing affordable housing is proposed to follow the viability tested route. However, as no affordable housing units are being demolished or lost as part of the proposal, policy H8 does not apply.
- 6.1.16 Local Plan policy LP13 seeks a minimum of 50% of housing within development schemes to be delivered on site as affordable housing, with schemes which meet or exceed that threshold not requiring a viability assessment. The tenure sought is for 60% of affordable units to be provided as social rent or London affordable rent and 40% as intermediate (Hackney/London Living Rent or shared ownership).
- 6.1.17 The proposed development would provide 35 of the 69 units as affordable housing (51%) and therefore qualifies for the 'fast track' route. 23 of the affordable units will be provided as social rented units which equates to a tenure split of 66% social rented and 34% shared ownership. This tenure split slightly exceeds the proportion of social rented homes sought in LP13, but given that social rented homes provide a more affordable type of housing, the proposed tenure mix is considered acceptable.
- 6.1.18 Overall, the proposed affordable housing provision is considered acceptable and in accordance with the above mentioned policies.

### Housing Mix

- 6.1.19 Local Plan policy LP14 states that the preferred dwelling mix in the social rented/London affordable rent tenure is 30-34% 1 bed units, 30-34% two bed and 33-36% as 3+ bed. For the intermediate tenure, the preferred mix is for 15-25% of units to be 3+ bed, with a higher proportion of 2 bed than 1 beds. The preferred mix for market sale units is 33% 3+ bed, also with a higher proportion of 2 bed than 1 beds.
- 6.1.20 The proposed mix of social rented units provides 35% of units as 3+ beds which is in line with the above policy. A greater proportion of 2 beds than that preferred by policy is provided (43% 2 bed vs 22% 1 bed). However, given that the balance is in favour of larger units, and given the

overall balance of units at the site, this is considered acceptable. The provision of intermediate units (33% 1 bed, 50% 2 bed and 17% 3+bed) is in line with LP14.

- 6.1.21 The proposed mix of market sale units would provide 9% of this tenure as 3+ bed, as opposed to the 33% sought by policy. However, policy LP14 states that variations to housing unit mix may be acceptable if this is justified by design or scheme viability considerations (among others). In this case, the proposed mix enables a policy compliant affordable housing provision and the constraints of the site mean that it is difficult to accommodate larger units on every floor and across the site. As such, the proposed mix is considered acceptable.

## **6.2 Design, Appearance and Impact upon Heritage Assets**

### Context

- 6.2.1 The proposal consists of development across two sites within the Frampton Park Estate. Site 1 is where the Bookend Building and Hidden Homes are proposed. Site 2 is located to the east of the site, where the Atrium Building is proposed.

### Significance of Area and Buildings

- 6.2.2 The National Planning Policy Framework provides a range of policies relating to heritage protection at paragraphs 184 to 202. The Council has considered the proposed development in relation to these policies and particularly Paras 189 to 197. Policy HC1 of the London Plan (2021) and Policies LP3 of LP33 require that development preserves or enhances the character of designated heritage assets.
- 6.2.3 In terms of heritage assets in the vicinity, the site is located approximately 50m outside of the Victoria Park Conservation Area, which is situated to the east. The impacts of the proposed development on the Victoria Park Conservation Area are as follows:
- 6.2.4 The site is located nearby, but not within, the Victoria Park Conservation Area, which is situated approximately 50m to the east of the site. The proposal is a fairly large distance from the Conservation Area, meaning any impact to setting is minimal. The scale, form and massing of the proposal is generally in keeping with the existing character of the Frampton Park Estate. In views looking west along Cassland Road, the proposal is only slightly visible. Any bulk remains comfortable in its relationship to foreground buildings within the Conservation Area. Therefore, the proposal is considered to preserve the setting of the conservation area and there is no harm identified.
- 6.2.5 The relevant conservation consideration is the indirect impact (harm to setting) of the designated heritage assets (the Victoria Park Conservation

Area). Because the proposed development is considered to be a high quality contextual design, that is of a scale, form and massing that is in keeping with the existing Frampton Park Estate, there is considered to be no indirect harm to the designated heritage assets.

- 6.2.6 It is therefore considered that, since there is no harm, the policy tests relating to substantial and less than substantial harm to designated heritage assets in NPPF paragraphs 201 and 202 are not engaged.
- 6.2.7 Therefore it is considered that the Council has discharged its duty in relation to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and that the proposals preserve and enhance the conservation area.
- 6.2.8 It is therefore further considered that the proposals are in compliance with LP33 Local Plan policies LP3 Designated Heritage Assets and with The London Plan Policy HC1 Heritage Conservation and Growth and the NPPF.

#### Pre-application advice/Planning History

- 6.2.9 A previous iteration of the proposal went to the Design Review Panel (DRP) in July 2019. The Panel commended the ingenuity and innovation of the proposal, considering it to be a high quality proposal that responds well to the site context. The panel requested greater design development regarding the inactive street frontage at ground level and the architectural detailing of the atrium entrances. As a result, the proposals have been revised in order to increase the amount of active frontage at ground level and the applicant has provided greater detail on the entrances to the atrium space.

#### Form and Massing

- 6.2.10 The scale, form and massing of the proposal on the two sites is considered to be appropriate and is of a bulk that is comfortable within the context of the existing Frampton Park Estate. In addition, the new interventions will help create more legible public spaces adjacent to the new blocks, due to the associated public realm.
- 6.2.11 The bookend building is taller than its neighbours, but relates well to its corner condition and is comfortable given the layout of the estate and its relationship with existing open spaces. This is in keeping with Policy LP1 - Design Quality and Local Character.
- 6.2.12 The seven storey element of the Atrium Building would also rise higher than its immediate neighbours by a single storey. However the massing is considered to sit comfortably within its context and the stepped form mitigates the changes in scale to the east on Well Street. The form also creates visual interest by revealing part of the atrium space within the

building.

- 6.2.13 The use of undercroft space at Tradescent House is a well-considered principle to increasing opportunities for homes, whilst having no impact on the bulk or form of the existing Tradescent House. The principle is therefore considered to be acceptable in design terms.

### Layout

#### \_\_\_\_\_ *Atrium Building*

- 6.2.14 The atrium space is served by two cores, and as such it is considered that the proposal has a sufficient amount of circulation space to serve the apartments at each level.
- 6.2.15 The proposed courtyard arrangement to site 1, forms an interesting architectural and communal feature. This element of the proposal, alongside the proposed gallery access is considered to be of a high quality and its layout has the potential to increase neighbourliness. In this regard, the atrium space can be thought of as an open lobby. The orientation and layout of the residential homes mean that spaces orientated towards this central court will have a lesser degree of natural light. This is considered acceptable in design terms given the other benefits this layout brings. Living spaces and balconies are orientated on the other edge of the block which is logical and appropriate. The plan form of these homes are considered to be of a high quality.
- 6.2.16 The provision of glazing facing the ground floor of the courtyard helps to animate the space and encourage use of spaces like the cycle store. The proposed eastern edge of the site works well with active frontage and the relationship between landscape design and the entrances to ground floor homes.
- 6.2.17 Due to requirements related to cycle storage and plant at ground level, there is a degree of inactive frontage at ground level on the northern elevation. Improvements have been implemented since the proposal was seen at DRP in July 2019. Corner units have been provided which help to activate the corner of the building. Moreover, the large atrium entrance also helps to create active frontage at ground level across this block.
- 6.2.18 This has been further mitigated through the introduction of seating and play equipment. The Growing up in Hackney: Child Friendly Places SPD states that 'If a blank wall onto a street is required due to site constraints, opportunities should be considered for a creative and playful proposal for that space if it is in a safe location.' This is considered to have been achieved to a sufficient standard with the proposal. Not only is there a provision of new play space along the northern elevation, there is also space provided for a new artwork that will be secured by condition. This is something that is also supported in the Growing up in Hackney SPD.

*Bookend Building*

6.2.19 The layout of this block is considered acceptable in design terms. The relationship between the new homes provided in the bookend building, with the proposed sunken landscape garden is considered to be of a high quality and successful.

*Tradescent Hidden Homes*

6.2.20 There is a small pinch point in floor to ceiling height due to the constraints of the existing building's structure, however this is considered to be acceptable in design terms as it is only for a brief moment. The proposed layouts are considered to be of a high quality.

*Designing out Crime*

6.2.21 Concerns were raised by the Designing Out Crime Office (DOCO) at the Metropolitan Police in relation to aspects of the original submission. These were principally concerned with compartmentalisation in the Atrium building so that fob access could be better controlled to different floors within the building. Some concerns were also raised related to the recessed entrances at each element of the scheme. A number of minor design changes have been made to address these concerns and the DOCO no longer have any objections to the scheme, subject to standard conditions requiring secure by design accreditation. The Council's Anti-Social Behaviour Team have also commented on the application and have expressed support for the inclusion of ducting and cabling to allow the installation of CCTV cameras at the site.

6.2.22 While the Atrium Building does include controlled access at the three undercroft access points to the atrium, this degree of security was required by DOCO to ensure Secure By Design accreditation could be achieved. The space enclosed behind the gates is effectively internal circulation space and the scheme otherwise provides a generous amount of public realm which is fully accessible. In this respect, the development is considered to represent inclusive design in line with London Plan policy D5. A condition is recommended requiring details of the ground floor gates in order to ensure that their visual appearance is appropriate.

Architecture and Materials

6.2.23 The proposed materiality is considered to be complementary to the emerging character within the Frampton Park Estate that includes the recently completed Wilmott, Taylor and Chatto Courts.

6.2.20 The use of brick as the primary external facing material for both sites is supported. The choice of brick serves to provide coherence with the surrounding materials palette of the estate and wider townscape, whilst



identifying the proposals as part of a new intervention within the estate. The use of terrazzo at entrances helps to offer a high quality finish that is prioritised in public spaces. The application of tinted concrete panels to the Bookend building also helps to emphasise the verticality of the bookend and is considered acceptable.

- 6.2.21 A 1:1 mock-up sample panel of the brickwork is required in order to ensure a high quality design is secured. This is recommended within the proposed conditions.
- 6.2.22 The architectural language of the entrances to the unit accessed from ground floor level of the northwest corner of the block is unusual and in contrast to the architectural language found elsewhere in the building. However, this is considered to be acceptable in this instance given it is a sole exception and helps to give character to the corner.
- 6.2.23 The detailing of rainwater pipes across the proposal is considered appropriate and the colours serve to give a sense of identity and playfulness to the buildings. In addition, the proposed balcony treatments are considered appropriate.

#### *Tradescant Hidden Homes*

- 6.2.24 The proposed materiality of the new homes at Tradescant House is considered to be acceptable in principle. Although divergent from the remaining architectural language of the estate, the metal curtain walling system at lower ground level references the materiality of the balustrade of floors above, and whilst unconventional, does respond well to its context and forms a new sense of identity that is shared between these homes. This element of the proposal requires additional design development in order to ensure a high quality design is secured, and this should be secured by condition. A 1:1 mock-up sample panel of the curtain walling system, showing how these materials meet and relate with one another, is required in order to ensure a high quality design is secured. This is contained within the proposed conditions.

### **6.3 Standard of Residential Accommodation**

- 6.3.1 The Mayor of London's Housing SPG provides guidance on the standards for all new residential development within London. Local Plan policy LP17 states that new housing in Hackney should comply with the London Plan and Mayor's Housing SPG. This includes criteria such as minimum space standards and access to private amenity space.
- 6.3.2 All the units within the proposed development meet the minimum size standards set out in the Mayor's Housing SPG and the Nationally Described Space Standards. Each unit is provided with private amenity space generally in the form of balconies or terraces.

- 6.3.3 The submitted Daylight/Sunlight report indicates that all of the units within the Hidden Homes and Bookend Building will receive a BRE compliant level of internal daylight. 13% of the rooms within the Atrium Building fall below BRE guidance but these rooms are generally windows facing the internal courtyard where the expectation of light would be low and where the other design benefits of the atrium/courtyard space should be weighed against the lack of full BRE compliance. Overall the internal daylight levels provided to the new units is considered to be acceptable.
- 6.3.4 10 of the units within the Atrium Building are single aspect. However, all serve 1 bedroom units and the distribution across the tenures is even. None of the units are north facing and the layout of each is otherwise considered to be of a high quality. As such, and given the constraints of the site, the lack of a dual aspect at these units is considered acceptable. The remaining units in the scheme all have a dual aspect.
- 6.3.5 Paragraph 3.6.7 of the London Plan states that housing developments should be designed to maximise tenure integration, and affordable housing units should have the same external appearance as private housing with entrances being indistinguishable from each other. The proposed development provides the affordable component within the Atrium Building and Hidden Homes elements of the scheme. There is fully shared access and a shared internal courtyard at the Atrium Building and the Hidden Homes units are accessed directly from the public realm. The external design and internal layout of the development as a whole is considered to be of a high quality with no disparity between private sale and affordable housing elements.

## **6.4 Traffic and Transportation**

### Surrounding Highways and Transport Network

- 6.4.1 Frampton Park Estate is bounded on the south by Well Street, Frampton Park Road to the west, Loddiges Road to the north and Well Street/Elsdale Street to the east. Surrounding public highways are within 20 mph zones. The site lies within the Hackney Central Zone D Controlled Parking Zone with restrictions operating for Mon-Sat 8.30am - 6.30pm. Parking within the estate roads is also controlled. A total of 69 additional housing units are proposed across two sites within Frampton Park Estate. The proposed development is car free except for blue badge spaces.
- 6.4.2 There are a number of local cycle routes around the site as well as a good bus network which has been assessed to show spare capacity. The Public Transport Accessibility Level of the site is good with a PTAL of 4/5 and nearby areas with a PTAL of 6. Given the car free nature of the proposal as well as the good PTAL rating, the development is not expected to result in unacceptable impacts to the public highway.

### Cycle Parking

- 6.4.3 Hackney Policies LP41, LP42 and LP43 in LP33 highlight the importance of new developments making sufficient provisions to facilitate and encourage movements by sustainable transport means. Local Plan 2033 policy LP42 requires that cycle parking shall be secure, accessible, convenient, and weatherproof and will include an adequate level of parking suitable for accessible bicycles, tricycles and cargo bikes.
- 6.4.4 The scheme would provide a total of 190 cycle parking spaces including 38 visitor spaces. This is a policy compliant number of cycle spaces and is therefore considered acceptable. Further details will be sought by condition in relation to the layout, foundation, spacing and type of stands to be used.

### Car Parking

- 6.4.5 LP33 states that disabled parking should be provided in accordance with the London Plan. The London Plan states that all developments irrespective of their size must provide at least one disabled parking space.
- 6.4.6 Frampton Park Estate comprises on-street parking bays as well as garages for residential parking. Parking within on-street parking bays is restricted to permit holders only. A total of 233 garages are provided on Frampton Park Estate for residential use. 165 (approximately 71%) of these are currently not used for vehicle storage.
- 6.4.7 The demolition of disused car parking structures on Wooldridge Way is supported. The overall reduction of car parking provision within the estate by 15 spaces to facilitate the proposed developments and improve the landscaping/ public realm improvements is also supported.
- 6.4.8 2 disabled parking spaces are being provided. In addition, a further 5 spaces are to be adaptable spaces which can be changed to disabled parking if and when required. The 2 blue badge spaces are proposed to be delivered close to access points of the development and are proposed to be delivered as part of the public realm works. Details of the adaptable spaces will be sought as part of a Car Parking Management Plan, to be secured by condition.
- 6.4.9 Two of the relocated car parking spaces are proposed to benefit from Electrical Vehicle Charging Points (EVCP), which is supported.

### Car Club

- 6.4.10 The site benefits from a relatively low coverage of car club vehicles within a short walking distance. Given the scale of the development, an introduction of an electric vehicle car club has been agreed. The

provision of electric vehicle charge points should be conditioned.

- 6.4.11 To encourage occupants to travel by sustainable modes a contribution towards car club membership and driving credit should be offered to all residents of the development. This would discourage the use of private vehicles on occasions when the use of a vehicle cannot be avoided. The S106 car club contribution clause should require a credit equalling a minimum monetary value of £60 per new residential unit be made available to the first occupant of each new residential unit as a contribution towards their car club membership fee and/ or driving credit.

#### Delivery and Servicing

- 6.4.12 Given the scale of the development and to ensure the arrangements are suitable in the long-term as well as trip rates remaining within the agreed parameters, a full Delivery and Servicing Plan is recommended to be conditioned.

#### Construction

- 6.4.13 Given the nature of the proposed development and its surroundings, a construction and demolition plan is required and will be conditioned to mitigate negative impact on the surrounding highway network. The plan will be required to include the following:

- Details of the construction programme
- Vehicle type, routing and trip generation
- Effects on the highway network
- All other relevant provisions

- 6.4.14 The final plans are expected to exclude deliveries between 0800-0930 & 1500-1600, which matches up with the local school street plus half hour before the AM. Draft plans suggest suspension/ removal of parking bays along Wooldridge Way which is to be considered in the context of the estate wide parking adjustments.

- 6.4.15 A contribution of £8,750 is sought to go towards the monitoring of the Construction Management Plan and to ensure adherence with the Construction and Logistics Community Safety Scheme (CLOCS) as per the objectives of LP43. This will be secured via the proposed Unilateral Undertaking.

#### Travel Plan

- 6.4.16 A travel plan highlighting how the applicant will aim to integrate and encourage sustainable travel based on evidence of the anticipated transport impacts of development travel is required. The plan should focus on how the plan will be managed, implemented and reviewed. Monitoring of the travel plan is to be undertaken on an annual basis for a

minimum of 5 years or 5 years after all phases of a development are complete (whichever is longer), which will secure an ongoing process of continuous improvement. The plan must be prepared in line with LBH Travel Plan guidance. A travel plan monitoring fee of £2000 is requested in line with the adopted s106 Planning Contributions SPD. The travel plan and associated contribution will be secured via the proposed Unilateral Undertaking.

#### Urban Realm, s278 Highway works and S106

- 6.4.17 In accordance with Local Plan policies, new developments and their associated transport systems should contribute towards transforming Hackney's places and streets into one of the most attractive and liveable neighbourhoods in London (see Local Plan 33 policies LP41 - 45 for further details).
- 6.4.18 Developments are required to manage demand through the introduction of measures to prioritise the needs of pedestrians, cyclists and public transport users. Highway works, transport mitigation measures and other S106 transport mitigation measures may be sought based on the final application and transport state. The estimated cost of the s278 highway works is £67,873.90. The proposal is to reconstruct the footway (location shown within attachment in blue) with fibre reinforced stone paving and new granite kerb. The cost of these highway works will be secured as a contribution via the Unilateral Undertaking.
- 6.4.19 The target kerb height to the frontage of the property will be 120 - 140mm above the carriageway edge with footway having a cross fall of 1:40. It is the developer's responsibility to incorporate this into their design as this is essential in ensuring the thresholds to the premises are level and EA 2010 compliant and that surface water falling on the public footway can drain onto the carriageway. The proposed works would tie into the paving at either end of Frampton Park Road between Well Street and Loddiges Road.

## **6.5 Energy and Carbon Emissions**

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

### Energy Assessment

- 6.5.2 The energy statement has presented the strategies adopted to minimise greenhouse gas emissions to comply with London and Hackney planning policies. The energy hierarchy has successfully been applied and the development achieves a 66% reduction beyond Part L1A 2013. This is above the current target of achieving 35% reductions beyond baseline Part L, but falls behind the 'zero carbon' target of Hackney local and London plans. Both plans also indicate that domestic buildings should aim to achieve 10% CO<sub>2</sub> emission reductions over the baseline model at the 'be lean' stage alone. The assessment predicts a saving of 18% beyond part L baseline at the 'be lean' stage. This is welcome as an effective means to reduce demand from development.
- 6.5.3 Any shortfall to the net zero carbon policy is to be offset off-site through a cash-in-lieu contribution. The price per tonne CO<sub>2</sub> to offset contributions is £95 as per the Planning Contributions SPD. Therefore for a total regulated carbon emissions of circa 29 tonnes of CO<sub>2</sub> per annum there is an expected contribution of £81,966 to be made to the Council's Carbon Offset Fund.
- 6.5.4 The energy assessment indicates that the development is not located near any existing district heat network. However, a recent study undertaken by Buro Happold on behalf of Hackney Council has identified Hackney Central as a priority area for the development of a district heating network. As such the development proposal of a communal heat pump network should be future-proofed to allow the opportunity to connect to a near-by compatible heat network, should one become available in the near future. It is recommended that this be secured by condition.

### Risk of overheating

- 6.5.5 The cooling hierarchy has been adopted. The dynamic simulations undertaken to assess the risk of overheating, based on CIBSE TM59 (2017), suggest that the spaces pass the criteria under the weather files DSY1 (required by GLA). All spaces also satisfy the criteria under DSY2, which is defined by shorter, more intense hot spells than the former. This suggests that the spaces may cope well with increasing temperatures and may be resilient to some impacts of climate change.

### Sustainability assessment

- 6.5.6 The sustainability assessment submitted is comprehensive and addresses various spheres of sustainable development. The proposals within are acceptable and promote sustainable strategies and solutions that satisfy national and local policies. Specific measures include natural ventilation with openable windows in dual or triple aspect dwellings,

sustainable urban drainage, rain water harvesting, a car free development, encouraging active travel, the re-use of existing materials where feasible and embracing the circular economy principles. The proposal of reusing the existing basement structure of the garage block to provide a sunken garden is welcome.

- 6.5.7 The development proposes some enhancements of the green infrastructure. Site proposals contribute to a positive net gain in biodiversity. The Urban Greening Factor, estimated at 0.29, falls short of the local plan requirement of 0.4 for domestic development. However, the proposal is considered to reasonably maximise urban greening, delivering a range of green infrastructure features. These include green roofs, the sunken garden, climbing plants and significant tree planting.
- 6.5.8 Based on the above, and subject to further conditions in relation to Air Permeability, Living Roof, plant noise and materials, the proposal is considered acceptable in terms of sustainability.

## **6.6 Amenity of Nearby Occupiers**

### Daylight/Sunlight

- 6.6.1 A daylight/sunlight assessment has been submitted in line with the methodology set out in the BRE report “Site Layout Planning for Daylight and Sunlight – A Good Practice Guide (2011)”.
- 6.6.2 When assessing daylight to existing properties, the primary methods of measurement are vertical sky component (VSC); and No Sky Line (NSL).
- 6.6.3 The BRE Report sets out two guidelines for vertical sky component:
- a) If the vertical sky component at the centre of the existing window exceeds 27% with the new development in place, then enough sky light should still be reaching the existing window
  - b) If the vertical sky component within the new development is both less than 27% and less than 0.8 times its former value, then the reduction in daylight will appear noticeable to the occupants and more of the room will appear more dimly lit
- 6.6.4 The BRE Report also gives guidance on the distribution of light in existing buildings, based on the areas of the working plane which can receive direct skylight before and after. If this area is reduced to less than 0.8 times its value before, then the distribution of light in the room is likely to be adversely affected, and more of the room will appear poorly lit. This is referred to as the No Sky Line (NSL) analysis.
- 6.6.5 For sunlight, the primary method of measurement is annual probable sunlight hours (APSH) to windows of main habitable rooms of neighbouring properties that face within 90° of due south. If a point at the

centre of a window can receive more than one quarter of APSH, including at least 5% of APSH in the winter months, then the room should still receive enough sunlight. If these percentages are not met and the reduction in APSH is more than 20% of its former value, then the loss of sunlight will be noticeable.

- 6.6.6 For shadow assessment, the requirement is that a garden or amenity area with a requirement for sunlight should have at least 50% of its area receiving 2 hours of sunlight on 21 March.
- 6.6.7 It is important to note that the BRE guidelines are generally based on a suburban rather than inner urban model and acknowledge that a higher degree of obstruction may be unavoidable in densely developed or historic areas. As such, some flexibility against BRE standards is appropriate, as suggested in paragraph 1.6 of the BRE guidance.
- 6.6.8 Based on the methodology set out in BRE guidance a number of properties have been identified for assessment. These have been grouped together in the analysis into frontages, as set out below:
- 1-94 Woolridge Way (South Eastern Block)
  - 145-151 Well Street, 139 & 139a Well Street, 137 & 143 Well Street, 135 & 141a Well Street, 133 & 141 Well Street,
  - 49-131 Well Street
  - 1-30 Fairchild House
  - 1-25 Tullis House
  - 51-55 Tradescant House
  - 1-50 Tradescant House
  - 1-27 Sloane House

*1-94 Woolridge Way (South Eastern Block)*

- 6.6.9 Of the 118 windows assessed for VSC at this property, 49 either do not have retained VSCs over 27 or experience reductions in excess of 20%. Of those 49 windows, 28 have reductions of less than 30% which, while noticeable, is considered broadly acceptable in an urban context such as this given the flexibility recommended by BRE guidance. It is also noted that 17 of these windows have retained VSCs above 20% which is a reasonably good daylight provision in an urban context. 18 of the windows which experience significant reductions are recessed from the facade of the building, shaded by balconies and appear to be secondary light sources to the rooms they serve (they are primarily balcony doors). In such cases, significant impacts are more difficult to avoid and, in this case, are considered to be acceptable. The three remaining windows have reductions only marginally above 30 and retained VSCs of more than 17. 52 of the 60 rooms assessed for daylight distribution have reductions of less than 20%. The other 8 rooms have reductions between 20-41% which, while noticeable, is considered broadly acceptably in an urban context such as this. Only one window at this



property falls short of BRE guidance for sunlight. 20% APSH is experienced as opposed to the 25% recommended in the guidance, which is considered to be relatively minor impact.

*145-151 Well Street, 139 & 139a Well Street, 137 & 143 Well Street, 135 & 141a Well Street, 133 & 141 Well Street*

6.6.10 Of the 28 windows assessed for VSC at this building, 22 experience reductions of over 20%. Of that 22, 13 experience reductions of less than 30% which is considered broadly acceptable in an urban context such as this given the flexibility recommended by BRE guidance. Of the 9 remaining windows, 5 are bin stores which should not have been assessed. Three remaining four windows are small windows which appear to serve bathrooms and are less sensitive to light and the other window experiences only slightly more than a 30% reduction. 16 of the 28 rooms assessed for NSL comply with BRE guidance. While the remaining 12 rooms would experience noticeable reductions in NSL, given that the VSC impacts are within acceptable limits and given that the rooms in question appear to serve kitchens and bathrooms (with the primary orientation of these units being to the east), the NSL impact is considered to be acceptable. In terms of sunlight, 9 of the 29 rooms assessed are BRE compliant. Although this is a noticeable impact, the windows in question are very close to the site boundary and are orientated to the west so some impact was unavoidable. The units in question are dual aspect and appear to have their primary living space orientated to the east. As such, the sunlight impact upon these rooms is considered broadly acceptable.

*49-131 Well Street*

6.6.11 Of the 36 windows affected at this property, 18 serve kitchens, the internal size of which would be below the threshold for habitable rooms (as per GLA guidance) and therefore would not require detailed assessment. 6 of the remaining 18 windows comply with BRE guidance. The remaining 12 are affected by balcony overhangs which contribute to a more noticeable impact. The NSL impacts on these rooms all comply with BRE guidance. Overall, while the daylight impact upon these rooms would be noticeable, the rooms in question appear to be secondary bedrooms and the units are served by a second aspect to the east which is unaffected. As such, given the urban context and the otherwise acceptable bulk and scale of the proposal, the daylight impact upon this building is considered to be within acceptable limits. None of the units face south so are not required for assessment as per BRE guidance.

*1-30 Fairchild House*

6.6.12 Of the 12 windows affected at this property, 6 serve kitchens, the internal size of which would be below the threshold for habitable rooms (as per GLA guidance) and therefore would not require detailed assessment.

The remaining 6 windows would be noticeably impacted both in terms of VSC and NSL with some reductions exceeding 50% of their former value. However, the affected rooms appear to be secondary bedrooms with the units having a second aspect to the west that is unaffected. The location of the stair core on the eastern elevation is also a mitigating factor. Overall, the daylight impact upon these units is considered to be within acceptable limits given the urban context and the otherwise acceptable bulk and scale of the proposal. None of the units have affected windows facing south so are not required for assessment as per BRE guidance.

*1-25 Tullis House*

6.6.13 Of the 30 windows assessed for VSC at this building, 28 either have retained VSCs over 27 or experience reductions of less than 20% with regard to the Atrium Building. The two remaining windows have a reduction only slightly in excess of 20% which is considered acceptable in this context. All rooms assessed pass the relevant tests for daylight distribution. The impact of the bookend building upon this building would be fully compliant with BRE guidance. All affected windows assessed for sunlight are BRE compliant.

*51-55 Tradescant House*

6.6.14 7 of the 18 windows assessed for VSC at this building, have either retained VSCs over 27 or experience reductions of less than 20%. Of the 8 windows with reduction over 20%, 2 have reductions of less than 30% which is considered broadly acceptable within an urban context given the flexibility recommended by BRE guidance. Of the remaining 6 windows, 2 are significantly impacted by an existing cantilever. Of the remaining four, two appear to serve bathrooms which are less sensitive to light and the other two are located in direct proximity to the development site where some impact would be unavoidable. 2 of the 18 rooms assessed for NSL fall short of BRE guidance but both appear to be bathrooms/WCs which are less sensitive to light. Overall, and given that the units have a second aspect to the south unaffected by the proposal, the daylight impact is considered to be acceptable. All affected windows assessed for sunlight are BRE compliant.

*1-50 Tradescant House*

6.6.15 All of the windows/rooms in this block are BRE compliant in respect of VSC, NSL and APSH with regard to the proposed development.

*1-27 Sloane House*

6.6.16 30 of the 36 windows assessed for VSC at this frontage, all either have retained VSCs over 27 or experience reductions of less than 20%. Of the 6 windows with reduction over 20%, all have reductions of less than 30%

which is considered broadly acceptable within an urban context given the flexibility recommended by BRE guidance. All affected rooms are compliant in terms of NSL. As such, the impact of the proposed development upon this building is considered to be within acceptable limits. All affected windows assessed for sunlight are BRE compliant.

#### Overshadowing

6.6.17 An assessment has also been undertaken for overshadowing of the following amenity spaces which are new or improved spaces resulting from the development:

- The Sunken Garden
- Woolridge Way Play Street
- Wells Street Yard
- The Island and southern forecourt at Petiver Close

6.6.18 The assessment found that both the Wells Street Yard and spaces at Petiver Close passed the BRE guidance using the 2 hours contour test (2 hours of direct sunlight on 21st March). The sunken garden achieves 2 hours of sunlight from 6th April onwards and by its character is an overshadowed, enclosed space. The play street would have 2 hours of sunlight from 9th April onwards. Given that this space is an overprovision of playspace in comparison to policy, the overall provision and quality of the space is considered acceptable. Overall the shadowing of these new or improved spaces arising from the development is considered to be within acceptable limits.

#### Privacy and Sense of Enclosure

6.6.19 The proposal would result in new development that is in relatively close proximity to existing residential buildings. In the case of the Atrium Building, separation distances to the north, east and west are approximately 13m at their narrowest points.

6.6.20 However, the context to the north of the Atrium Building is such that the buildings are separated by an existing street and the building line would be no closer than the existing building on site. Direct overlooking would also be mitigated by tree planting. The impact to the west is mitigated by the fact that windows on the eastern elevation of Fairchild House are predominantly recessed serving kitchens and bathrooms. Again, the buildings would be separated by an existing street where a degree of direct overlooking is expected in the event of redevelopment. To the east, the buildings are separated by an existing yard and the windows on the existing buildings on Well Street are very close to the site boundary, making a degree of proximity more likely in the event of redevelopment. The impact on this elevation would be mitigated by proposed tree planting.

- 6.6.21 It is noted that separation distances of approximately 13m are apparent elsewhere in the surrounding area, including at the residential development to the rear of Frampton Park Baptist Church and to the north at the Lyttleton House development.
- 6.6.22 At the Bookend Building, the relationship between the proposed and existing buildings are generally at an oblique angle where the perception of overlooking would be relatively limited, even in relatively close proximity. This is also a characteristic of the existing layout of the estate. While there would be an increased sense of enclosure to some windows at Tradescant House, overall the impact upon affected units is considered to be acceptable.
- 6.6.23 Overall, the privacy and overbearing impacts arising from the relationship between existing and proposed buildings at the two sites are considered to be within acceptable limits. This is given the nature of existing context, the tight urban grain and when considered within the context of the overall benefits of the scheme in terms of housing provision (including a policy compliant affordable housing provision) and the creation of new public realm.

#### Amenity impact during construction

- 6.6.24 Whilst it is noted that some nearby residential windows are in close proximity to the site and would be affected by amenity impacts of construction, the impact would be temporary and must be considered alongside the long term benefits of the scheme. As such, the impacts would not be such that this would warrant a refusal of the application. It is recommended that a condition be attached requiring the submission of a Demolition Construction Management Plan in order to ensure that the environmental impacts of construction are effectively mitigated. Subject to such a condition, which would also cover construction logistics, the impact of the construction of the proposed development upon neighbouring occupiers is considered likely to be within acceptable limits.

#### Noise and Disturbance

- 6.6.25 Whilst it is noted that the creation of a new play street would have impacts in terms of additional noise, this is considered to be outweighed by the benefits that the play street would bring to development and the wider area. The provision of playspace is also a requirement of Local Plan policy LP50 and its location anywhere on the site would have resulted in some amenity impact.
- 6.6.26 In terms of the noise from plant associated with the use, it is recommended that a condition be attached requiring noise from plant to not exceed background noise.

### **6.7 Trees, Landscaping and Biodiversity**

Trees, Landscaping and Playspace

- 6.7.1 The proposed landscape and play provision encompasses many of the principles and guidelines found in the Growing up in Hackney: Child Friendly Places SPD.
- 6.7.2 The proposal seeks to install significant landscape works to the adjoining public realm. In site 1, this includes a play street to the north, an enclosed yard to the west along with gardens to ground floor properties and an 'island' arrangement to the south. Site 2 includes soft landscaping to the west of the building, known as the 'sunken garden', as well as a new landscape treatment to the Tradescant House yard.
- 6.7.3 The principle of a pedestrianised play street and yard providing doorstep play in close proximity to facing residential properties is supported, and it is positive that these will be overlooked by upper floors, as well as adjacent neighbouring buildings. The play provision is considered to offer variety to a range of abilities and ages. It is recommended that further details of play space be sought by condition.
- 6.7.4 The proposed 'sunken garden' would provide a new public space in the estate with seating to encourage dwell time and naturalistic play equipment to facilitate spontaneous play. Although part of the retaining wall on Woolridge Way would be retained, a visual connection between the street and the space would be maintained providing a degree of surveillance. The space would also be overlooked by numerous windows and balconies. The design of the space is therefore considered to be such that opportunities for anti-social behaviour have been acceptably mitigated. Planting is proposed within the space along with a raised walkway which should create an attractive feature that maintains a pedestrian desire line through the estate.
- 6.7.5 The provision of street trees throughout the proposed landscaping arrangement is supported. Although the proposal would result in the removal of four existing trees, this would be compensated by the new tree planting. Overall, the proposed landscaping is considered to be of a high quality. It is recommended that landscaping plans for the proposal and full details of planting be secured by condition in order to ensure a high quality of landscape design is delivered.
- 6.7.6 It is noted that the GLA population yield calculator indicates a total 155 residents would occupy the scheme, resulting in a requirement for 2,170sqm of communal open space as per LP48. Although the proposal would fall short of this figure (a total of 1,175sqm is proposed across the development sites), given the constraints of the site and the generally improved public realm that will be provided for the estate as a whole, the extent of the proposed landscaping provision is considered to be acceptable.

- 6.7.7 In terms of the playspace requirements of Local Plan policy LP50, based on the child yield of the development, there is a requirement for 342.5sqm. The design of the proposed public realm improvements, which includes a dedicated play street and integrated play equipment at both the Well Street Yard and Sunken Garden spaces, results in an overprovision of playspace in relation to LP50. This is strongly supported and is considered to be one of the key benefits of the scheme, reflecting the Council's 'Child Friendly Borough' objectives.

#### Biodiversity

- 6.7.8 The site is considered to have negligible potential to support protected species and to generally be of low ecological value. A condition is recommended requiring the installation of bat and bird boxes as part of the development in order to enhance ecology at the site. Subject to such a condition, the proposal is considered acceptable in terms of biodiversity.

### **6.8 Other Planning Matters**

#### Waste

- 6.8.1 The proposed development is considered capable of providing adequate storage of waste, subject to a condition requiring further details.

#### Land and Air Pollution

- 6.8.2 The council's Land Pollution officer has raised no concern with the proposal subject to conditions.
- 6.8.3 The submitted Air Quality Assessment has been assessed and is considered to be acceptable. Conditions are recommended requiring the submission of additional information in order to ensure that the development is acceptable in respect of air quality.

#### Floor Risk/Drainage

- 6.8.4 The Council's Drainage Officer has raised no objection subject to conditions in relation to Sustainable Urban Drainage and Drainage Management. Thames Water have also raised no objection to the proposal subject to informatives. It is noted that the sunken garden would provide an integrated SUDS feature by acting as a swale in the event of high levels of surface water. This approach to the integration of SUDS features within landscaping is supported.

#### Fire Safety

- 6.8.5 The Fire Strategy that has been submitted with the application has been

assessed by the Council's Building Control Team and no objection has been raised. This is subject to a condition requiring compliance with the submitted document.

## **6.9 Unilateral Undertaking and Community Infrastructure**

### Unilateral Undertaking

- 6.9.1 Details of likely contributions and other planning obligations have been prepared in line with the Council's SPD on Planning Contributions (2020), and the relevant regulations (Community Infrastructure Levy Regulations 2010) and the resulting level of contributions and Heads of Terms for the legal Unilateral Undertaking are detailed at Recommendation B below.
- 6.9.2 A contribution of £250,000 should be secured in order to fund the renovation and extension of Elsdale Hall. This is sought in order to offset the loss of the community hall that would arise from the proposal.
- 6.9.3 An obligation requiring the provision of 35 units of affordable housing, 23 of which are to be Social Rented units and 12 of which are to be Shared Ownership or alternative Intermediate Housing models.
- 6.9.4 A contribution of £67,873.90 towards Highways Works, as set out in the transport section above, should be secured. A car club contribution is also required for credit equalling a minimum monetary value of £60 per new residential unit made available, to the first occupant of each new residential unit, as a contribution towards their car club membership fee and/ or driving credit. A CPZ exclusion to restrict parking permits for users of the building is also recommended. A requirement to submit a Travel Plan should also be secured alongside a £2,000 monitoring fee. A Construction Management Plan monitoring fee of £8,750 is also sought.
- 6.9.5 In addition, the Unilateral Undertaking should include measures regarding apprentices and local labour during construction and a commitment to carry out all works in keeping with the National Considerate Contractor Scheme as per the requirements of the Planning Contributions SPD for a development of this size and nature. The proposal also qualifies for contributions towards training and support for local employment during the construction phase of the development. Based on the formula set out in the Planning Contributions SPD, the Ways into Work contribution for the development would be £28,278.
- 6.9.6 The unilateral undertaking should also include a contribution towards the Council's Carbon Offsetting Fund (£81,966) to offset the shortfall in carbon emissions savings against London Plan targets.

### Community Infrastructure Levy

- 6.9.7 The Mayor of London has introduced Community Infrastructure Levy to assist with the funding of Crossrail (MCIL 2). In the case of developments within the London Borough of Hackney, CIL for residential floorspace is chargeable at a rate of £60 per square metre. Hackney CIL is applicable to this development, at a rate of £25 per square meter of residential floorspace in this location (Zone B).
- 6.9.8 The proposed development would create a net additional floorspace of 5,726sqm. As such, the development is liable for both Local CIL and Mayoral CIL for the net increase in gross internal floorspace proposed. The Hackney and Mayoral CIL liability for the development are calculated below in line with Regulation 40 of the CIL Regulations 2010 (as amended). Please note Indexation, based on BCIS data published 'from time to time' by the Royal Institute of Chartered Surveyors (RICS), is subject to change; any changed indexation figure will lead to a change to the CIL chargeable amount meaning a new Liability Notice, indicating the changed chargeable amount, will be issued.

*LBH CIL*

5,726sqm x £25 (Residential) = £143,150

Total = £143,150

*Mayoral CIL*

5,726sqm x £60 (Residential) = £343,560

Total = £343,560

## **6.10 Equalities Considerations**

- 6.10.1 The Equality Act 2010 requires public authorities, when discharging their functions, to have due regard to the need to (a) eliminate unlawful discrimination, harassment and victimisation and other conduct; (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and (c) Foster good relations between people who share a protected characteristic and persons who do not share it. The protected characteristics under the Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.10.2 Having regard to the duty set out in the Equality Act 2010, it is considered that the development proposals do not raise any equality issues. The community centre is a facility for the use of the community as a whole, rather than one specific group. While users of the space may have included those who share a protected characteristic, there is no evidence to suggest that the loss of the hall would affect one protected



group more than any other or the wider community as a whole. Notwithstanding this, the loss of the hall as part of the proposal is considered to be justified for the reasons set out at paragraphs 6.1.1-6.1.11 above.

## **7 Conclusion**

- 7.1 The proposal complies with pertinent policies in the Hackney Local Plan (2020) and the London Plan (2021), and the granting of full planning permission is recommended subject to conditions and the completion of a legal Unilateral Undertaking.

## 8. RECOMMENDATIONS

### Recommendation A

8.1.1 That Full Planning Permission for application 2021/1065 be approved subject to the following conditions:

#### 8.1.2 **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.

#### 8.1.3 **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.

#### 8.1.4 **Details to be approved**

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

- a) Samples of cladding system and flashing
- b) Sample of External Doors and Windows
- c) Sample of Balconies including Railings, soffits and structural system
- d) Sample of Low Transparency Glazing
- e) Technical detail drawings (scaled 1:5, 1:10 and 1:20) of walls and features, showing all joints and interface of materials, including doors and windows, sills, walls, balconies, balustrades, and parapets.
- f) Detail drawings (scaled 1:5, 1:10 and 1:20) and specifications for the entrance gates at the Atrium Building

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

### 8.1.5 Materials

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

- a) On site mock-ups of brick, mortar and windows for the three main facade types (Atrium, Bookend and Hidden Homes), with red line drawing provided to show location in facade of mock-up;
- b) Material samples of all externally appearing features submitted for approval, on request;
- c) Provision of a detailed materials sheet showing the location of materials, their manufacturer and product reference and precedent photographs.
- d) The submitted details shall include bricks, and not brick slips.

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

### 8.1.6 Sustainability - Green Roof

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Full specifications and a detailed management and maintenance plan of the blue/biodiverse roof with a minimum substrate depth of 80mm, not including the vegetative mat.

REASON: In order to ensure that the development is adequately sustainable and to enhance biodiversity at the site.

### 8.1.6 Future Proofing Connections

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Full detailed specification and layout of the communal heat pump network, confirming the location of the connection points to allow the possibility of connecting the development to a future district heating network

REASON: To ensure the development meets the sustainability requirements of the London Plan.

### 8.1.7 Air Permeability Testing

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) A full air permeability test report confirming the development has achieved an average air permeability of 3 m<sup>3</sup>/h/m<sup>2</sup> at 50pa.

REASON: In the interests of the promotion of sustainable forms of development and construction.

### 8.1.8 Energy Monitoring Information

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

- a) Within four weeks of planning permission being issued by the Local Planning Authority, the Owner is required to submit to the GLA accurate and verified estimates of the 'be seen' energy performance indicators, as outlined in Chapter 3 'Planning stage' of the GLA 'Be seen' energy monitoring guidance document, for the consented development. This should be submitted to the GLA's monitoring portal in accordance with the 'Be seen' energy monitoring guidance.
- b) Once the as-built design has been completed (upon commencement of RIBA Stage 6) and prior to the building(s) being occupied (or handed over to a new legal owner, if applicable), the legal Owner is required to provide updated accurate and verified estimates of the 'be seen' energy performance indicators for each reportable unit of the development, as per the methodology outlined in Chapter 4 'As-built stage' of the GLA 'Be seen' energy monitoring guidance. All data and supporting evidence should be uploaded to the GLA's monitoring portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in Chapter 5 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document.
- c) Upon completion of the first year of occupation following the end of the defects liability period (DLP) and for the following four years, the

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

In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner must use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'be seen' spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority and be implemented by the legal Owner as soon as reasonably practicable.

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

#### **8.1.9 Construction Materials**

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

REASON: In the interests of the promotion of sustainable forms of development and construction.

#### **8.1.10 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.

#### **8.1.11 Contaminated Land: Pre-Commencement**

Development except demolition to ground level will not commence until preliminary risk assessment work has been undertaken and fully reported on. If required additional physical site investigation work has been undertaken and fully reported on and a remedial action plan has been produced 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. Development will not commence until all pre-development remedial actions, set out within the remedial action plan, are complete and a corresponding pre-development verification report has been produced to the satisfaction of and approved in writing by the Planning Authority. Work shall be completed and reported by a competent person/company in line with current best practice guidance, including the Council's contaminated land planning guidance. The Planning Authority and Contaminated Land Officer must receive verbal and written notification at least five days before investigation and remediation works commence. Subject to written approval by the Planning Authority, this condition may be varied, or discharged in agreed phases.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

#### **8.1.12 Contaminated Land: Pre-Occupation**

Before first occupation/use of the development hereby approved a post-development verification report will be produced to the satisfaction of and approval in writing by the 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 reporting 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 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 re-commence upon written notification of the Planning Authority or Contaminated Land Officer.

REASON: To protect human health, water resources, property and the wider environment from harm and pollution resulting from land contamination.

#### **8.1.13 Contaminated Land: Implementation of Remediation Scheme**

The approved remediation scheme shall be carried out [and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority] before the development [or relevant phase of development] is occupied.

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

#### **8.1.14 Reporting unexpected contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the site investigation, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of the approved remediation scheme. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with the implementation of the remediation scheme.

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

#### **8.1.15 Waste Strategy**

Prior to the occupation of the development hereby approved, full details of the arrangements for storage for refuse and recycling areas, including details of doors to storage chambers, details of locking arrangements, details of ventilation and details of the management arrangements and proposed collection points for residential waste to be presented twice weekly (general waste/recycling) and once weekly (food waste) prior to collection, to facilitate collection of waste, shall be submitted to and approved in writing by the Local Planning Authority. Such details as

approved shall be implemented prior to the occupation of the development and shall thereafter be retained.

REASON: To protect the amenity of future residents, to ensure that there is adequate provision for the hygienic and convenient storage of refuse and recycling and to ensure that the drag distances for refuse are appropriate each collection day.

#### **8.1.16 Restriction of noise from plant and equipment**

The rating level of any noise generated by plant & equipment as part of the development shall be at least 5 dB (A) below the pre-existing background level as determined by BS4142 -"Method of rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of nearby premises and the area generally

#### **8.1.18 Cycle Parking**

Notwithstanding the details shown on the plans and documents hereby approved, prior to the commencement of above ground works, details of secure bicycle storage facilities in respect of 190 cycle parking spaces including 38 visitor spaces, including layout, stand type and spacing, shall be submitted to and approved in writing by the Local Planning Authority. The majority of these cycle spaces will be single tier and space will be made available for the storage of larger bicycles. Such details as are approved shall be implemented prior to the occupation of the development and shall thereafter be retained.

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

#### **8.1.19 Demolition and Construction Management Plan**

Notwithstanding the documents hereby approved, no development shall take place until a detailed Demolition and Construction Management Plan covering the matters set out below only has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out 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. The plan must include:

- a) A demolition and construction method statement covering all phases of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);



- b) A Dust Management Plan to control dust emissions during demolition and construction;
- c) Details of compliance with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery' in relation to Only Non Road Mobile Machinery or used at the development site during the demolition and construction process along with details that all NRMM are entered on the Non Road Mobile Machinery online register at <https://nrmm.london/user-nrmm/register> before being operated. Where Non-Road Mobile Machinery, which does not comply with 'chapter 7 of the Cleaner Construction Machinery for London: A Low Emission Zone for Non-Road Mobile Machinery', is present on site all development work will stop until it has been removed from site.
- d) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means.
- e) Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing; details of parking suspensions (if required) for the duration of construction.

REASON: To avoid hazard and obstruction being caused to users of the public highway, in the interest of public safety and amenity, in order to prevent the construction of the development having an unacceptable environmental impact upon neighbouring properties and to protect air quality, human health and to contribute to National Air Quality Objectives.

#### **8.1.20 Delivery and Servicing Plan**

The development hereby approved shall not be occupied until a detailed Delivery and Servicing Management Plan has been submitted to and approved in writing by the Local Planning Authority. Delivery and Servicing to the site shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

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

#### **8.1.22 Ecological Enhancements**

Notwithstanding the details shown on the plans and documents hereby

approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- a) Details for the installation of nesting boxes/bricks for small birds and bats.

REASON: In order to improve the ecology and biodiversity of the site.

### **8.1.23 Secure by Design**

The proposed development, hereby approved shall achieve Secure by Design accreditation, prior to occupation of the development

REASON: To ensure satisfactory accommodation standards and safeguard against potential crime and anti-social behaviour.

### **8.1.24 Roof plant**

No roof plant (including all external enclosures, machinery and other installations) other than any shown on the drawings hereby approved shall be placed upon or attached to the roof unless otherwise agreed in writing by the Local Planning Authority.

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.

### **8.1.25 Sustainable Drainage I**

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

- a) Details of an infiltration test carried out in accordance with Building Research Establishment (BRE) Digest 365 with all drainage designs based on actual infiltration figures obtained through the percolation tests. Infiltration units must stand the test of half-emptying the provided storage within 24hrs for up to the 1 in 10 year return period storm for all rainfall duration events.

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

### **8.1.26 Sustainable Drainage II**

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

- a) Full detailed specification of the sustainable drainage system supported by appropriate calculations, construction details, drainage layout and a site-specific management and maintenance plan. Details shall include but are not limited to the proposed rain garden, underground attenuation system and the flow control system, which shall be submitted and approved by the LPA in consultation with the LLFA. Surface water from the site shall be managed according to the proposal referred to in the below ground drainage strategy report (Ref: 17241-CT-RP-006 P01 dated 05 June 2020) and the site peak discharge rate is restricted to 2 l/s for the community hall and 1.3 l/s for the Book End Building. Surface water discharge from the site is only allowed only after an infiltration test has been carried out and percolation is confirmed to be not feasible.

REASON: In order to provide an adequate provision for Sustainable Urban Drainage.

#### **8.1.27 Landscaping and Public Realm Design**

Prior to commencement of the landscaping works for each phase of the development, 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: hard landscaping material details, play equipment, all trees and other planting 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 twelve 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 completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of ten 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, appearance and ecology of the development and contribution to green infrastructure.

#### **8.1.28 Public Art Strategy**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the

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

- a) A Public Art Strategy in relation to the installation of a mural on the northern elevation of the Atrium Building at ground floor level. The strategy shall include the details of community engagement, the commissioning process, the timetable for the installation of the mural and the long term maintenance of the mural.

REASON: In order to animate the facade of the building and in order to meet the objectives of the Child Friendly SPD.

### 8.1.29 Non-Road Mobile Machinery

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

REASON: To ensure that emissions from the site during the construction phase are acceptable with regard to public health and amenity.

### 8.1.33 Internal Noise Levels

Internal Noise Levels: All residential premises shall be designed in accordance with BS 8233:2014 "Guidance on sound insulation and noise reduction for buildings" to attain the following internal noise levels:

<i>Activity</i>	<i>Location</i>	<i>07.00 to 23.00</i>	<i>23.00 to 07.00</i>
Resting	Living room	35 dB LAeq 16hour	None
Dining	Dining area	40 dB LAeq 16hour	None
Sleeping	Bedroom	35 dB LAeq 16hour	30 dB LAeq 8hour

Before commencement of the use hereby permitted a test shall be carried out prior to the discharge of this condition to show the standard of sound insulation required shall be met and the results submitted to the Environmental Protection Team for approval.

REASON: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess environmental noise.

#### **8.1.44 Accessibility**

Ten percent of the residential units hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (3) 'wheelchair user dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter. All other dwellings within the development hereby approved shall be completed in compliance with Building Regulations Optional Requirement Part M4 (2) 'accessible and adaptable dwellings' (or any subsequent replacement) prior to first occupation and shall be retained as such thereafter.

REASON: To assist in meeting the Local Development Framework Core Strategy objective of reducing carbon emissions.

#### **8.1.48 Fire Strategy**

The development must be carried out in full accordance with the approved fire strategy that complies with all aspects of Part B Fire Safety under schedule 1 (Requirements) of the Building Regulations 2010 (as amended) and should be maintained thereafter. Due consideration should be given in particular to the means of escape, safe evacuation for disabled persons and access for the fire brigade appliances. This is to ensure that appropriate fire safety measures are in place for people in and around the building and access for the fire brigade. Should any subsequent changes be required to the approved fire strategy to ensure compliance, a revised fire strategy would need to be submitted and approved by the Local Planning Authority

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

#### **8.1.29 Car Park Design and Management Plan**

Notwithstanding the details shown on the plans and documents hereby approved, full particulars of the following shall be submitted to and approved in writing by the Local Planning prior to the occupation of the development. The development shall not be carried out otherwise than in accordance with the details thus approved.

- A Car Park Design and Management Plan which identifies potential spaces in the local area that could be converted to blue badge spaces

REASON: In order to ensure that there is an adequate provision of disabled persons car parking spaces.

## 8.2. Recommendation B

- 8.2.1 That the above recommendations be subject to a unilateral undertaking in order to secure the following matters to the satisfaction to the satisfaction of Head of Planning and Interim Director of Legal Services

### Community Hall Contribution

- A contribution of £250,000 should be secured in order to fund the renovation and extension of Elsdale Hal.

### Affordable Housing

- The provision of 35 units of affordable housing on site in perpetuity, 23 of which are to be Social Rented units and 12 of which are to be Shared Ownership or an alternative Intermediate Housing model.

### Highways and Transportation

- £67,873.90 towards Highways Works.
- Car Free development
- A car club contribution equalling a minimum monetary value of £60 per new residential unit
- A Construction Management Plan (CLOCS) monitoring fee of £8,750 is also sought.
- Travel Plan

### Ways into Work Contribution

- A ways into work contribution of £28,278 payable prior to the implementation 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) in compliance with an Employment and Skills Plan.
- Quarterly Labour returns through 5 year period
- 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.

### Carbon Offsetting

- Contribution of £81,966 towards the Council's Carbon Offsetting Fund.

### 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 deed, payable prior to completion of the deed.
- S106 Monitoring costs payable prior to completion of the legal deed.

## **8.3 Recommendation C**

8.3.1 The Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM & Enforcement Manager) to make any minor alterations, additions or deletions to the recommended conditions and/or Heads of Terms of the 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**

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

NSI Prior consent for construction from the Local Authority.

- NSI A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200..
- NSI With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- NSI We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality)."
- NSI It is therefore recommended that flood resilience and/or resistance



constructions are used for the basement to reduce the risk of groundwater ingress. Refer to the guidance document 'Improving the Flood Performance of New Buildings Flood Resilient Construction, 2007' by Department for Communities and Local Government for further guidance

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.

**Signed..... Date.....**

**ALED RICHARDS – DIRECTOR – PUBLIC REALM, NEIGHBOURHOODS AND HOUSING**

NO.	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	1 Hillman Street London E8 1FB	Barry Coughlan 1 Hillman Street London E8 1FB Tel: 02083567939



**Planning Sub-Committee – 01/09/2021**

	referenced in the report.		
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