

ADDRESS: Davis House, 83a Geffrye Street, Hackney, London, E2 8JA	
WARD: Haggerston	REPORT AUTHOR: Louise Prew
APPLICATION NUMBER: 2021/1215	VALID DATE: 28/04/2021
DRAWING NUMBERS: 75_01_00, 01, 02, 03, 04, 05 Rev I, 06 Rev D, 07 Rev J, 08 Rev C, 011 Rev B; 75_02_00 Rev C, 01 Rev A, 02 Rev A, 03 Rev A, 04 Rev O, 04.1, 05 Rev Q, 06 Rev I, 07 Rev L, 08 Rev H, 08.1, 08.2, 09 Rev G, 10, 11; Design Development Rationalisation ref 75_03_01, Existing and proposed visuals ref 75_03_02 Daylight and Sunlight Report V1 (Point 2 Surveyors, July 2021) Design and Access Statement Rev J (Catherine White Design, April 2021) Energy Statement Rev C (Envision, 15 April 2021) Heritage Impact Assessment - Covering Note to accompany EDP report (DWD, April 2021) Heritage Impact Assessment (edp, December 2020) Planning cover letter ref 14393 (DWD, 20/04/2021)	
APPLICANT: 1707 Properties Limited	AGENT: DWD Property and Planning 6 New Bridge St London EC4V 6AB
PROPOSAL: Erection of a single storey roof extension to provide additional floorspace (Use Class E) together with associated works to the existing building and the introduction of a replacement access gate, cycle parking, a refuse storage area and associated works to external amenity area	
POST SUBMISSION REVISIONS: Revised sections and a Daylight and Sunlight Study were provided. Consultation was carried out on these new documents.	
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions	
NOTE TO MEMBERS: This application is presented to the Planning Sub-Committee due to the level of public interest	

ANALYSIS INFORMATION

ZONING DESIGNATION:

CPZ	Yes (F)	
Conservation Area	Kingsland	
Listed Building (Statutory)	2- 16 Pearson St to the north (Grade II)	
Listed Building (Local)		No
Employment designation		No

LAND USE:	Use Class	Use Description	Floorspace Sqm
Existing	E	Studio/workshop	154
Proposed	E(g)	Commercial	231

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Blue Badge)	Bicycle storage
Existing Development Site:	0	0	0
Proposed Development Site:	0	0	6

CASE OFFICER'S REPORT

1.0 SITE CONTEXT

- 1.1 The application site is located on the western side of Geffrye St. The site is approximately 150 square metres and contains an existing two-storey building in use as studios/workshops (Use Class E) accessed via Geffrye Street. It also contains an area of hardstanding to the north of the building which is used for storage. This has double gates with vehicular access from Geffrye Street and secondary access to the building in the northern elevation.
- 1.2 The site is largely bounded by residential dwellings including to its immediate north, south and west. To the east lies the railway which serves the London Overground.
- 1.3 The site is located within an area with very good accessibility to public transport. It has a PTAL rating of 6a (on a scale of 1a – 6b where 6b is the most accessible). The site is located within 190 metres of Hoxton Overground station. The site is covered by a Controlled Parking Zone (CPZ) and there are Santander cycle docking stations within close proximity.

2.0 CONSERVATION IMPLICATIONS

- 2.1 There are no statutory listed or locally listed buildings or structures within the site.
- 2.2 The terrace of 2-16 Pearson Street is Grade II statutory listed and neighbours the site to the north.
- 2.3 The site is within Kingsland Conservation Area.
- 2.4 The implications are outlined further in the assessment section of the report.

3.0 HISTORY

- 3.1 2020/4057- "Erection of single storey roof extension to provide use class E floorspace together with associated works to the existing building and the introduction of a replacement access gate, cycle parking, a refuse storage area, replacement of windows and associated works to external amenity area".
Withdrawn
- 3.2 There were two pre-application requests under the references 2020/0028/PA and 2020/1554/PA. These were for different designs. They noted that an additional floor may be acceptable subject to alterations to the design to ensure the extension would preserve or enhance the conservation area.

4.0 CONSULTATIONS

4.1 Dates

- 4.1.1 Date Statutory Consultation Period Started: 06/05/2021
- 4.1.2 Date Statutory Consultation Period Ended: 16/08/2021
- 4.1.3 Site Notices: x 1
- 4.1.4 Press Advert: Yes. Hackney Gazette 20/05/2021

4.2 Neighbours

- 4.2.1 Letters of consultation were sent to 11 adjoining owners/occupiers.
- 4.2.2 At the time of writing the report, 12 objections had been received on the grounds of:
 - Possible change of use to residential
 - Residents won't benefit and there is no demand for commercial spaces
 - Overdevelopment
 - It is not in keeping with the style of houses opposite (Georgian)
 - Rationale behind why this design is acceptable and previous designs were not
 - Loss of light
 - Loss of privacy, increase overlooking
 - Loss of view

- Noise impacts from open velux windows. There are currently no windows facing Sovereign Mews
- It will impair security by seeing Sovereign Mews' security provisions
- Increase the level of traffic
- Noise and disruption from building works

Officer's response: The above issues are addressed within the relevant sections of this report

4.3 **Statutory / Local Group Consultees**

4.3.1 **Transport for London- Spatial Planning:** I can confirm that TfL Spatial Planning has no strategic comments to make on this planning application other than to emphasise the development should comply with the transport policies set out in The London Plan 2021. In particular the car and cycle parking standards in tables 10.2 – 10.6 (inclusive). Cycle parking should comply with the London Cycling Design Standards (<https://tfl.gov.uk/corporate/publications-and-reports/streets-toolkit>).

4.3.2 **London Overground:**

- No part of the development shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to Rail for London (RfL). Reason: To protect the safe operation of the Railway.
- All development shall be carried out in accordance with RfL's document entitled 'Special Conditions for Outside Parties developing on or near the railway'.
- No development shall take place, including any works of demolition, until full details of the Construction Environmental Management Plan and Construction Logistics Plan has been submitted to and accepted by RfL. Reason: To protect the safe operation of the Station.
- No works of excavation, demolition or construction are to be carried out until the details of such works have been submitted to and accepted by RfL. Reason: To protect the safe operation of the Station.
These details should comprise:
 - Site clearance / Demolition
 - Construction methodology (including risks assessments and method statements).
 - Crane / Lifting Management for any cranes/ HIABS proposed to be used.
- RfL may need to request that the applicant conducts radio surveys before and after the construction to assess the level of impact the development has on RfL's radio signal.
- RfL may need to request the applicant conducts a reflected glare assessment to confirm there shall be no impact to Railway operations during or after the completion of the Development.
- The external lights and those installed during the construction period and in the permanent state shall not shine directly onto RfL's property.

Officer's response: These will be included as conditions and informatives where appropriate

- 4.3.3 Kingsland CAAC: We have some concerns about the design of the proposed roof extension. The building sits to the rear of the listed Georgian Terrace in Pearson Street and its overall height and bulk should be in proportion to the terrace.

We still object to the proposed roof design. This should appear as a modest industrial building in this setting. However the proposed roof extension is bulky and overbearing and will have a detrimental effect on the setting of the listed Georgian terrace to the north.

- 4.3.4 Thames Water: No objection subject to informatives

4.3.5 **Internal Consultees**

- 4.3.6 Transportation: No objection subject to condition requiring cycle parking to be provided.

- 4.3.7 Waste: No response

- 4.3.8 Land, Water and Air: There are no issues identified which relate to the areas of our work. Therefore, I do not have any comments or objections to make.

5.0 **POLICIES**

5.1 The London Plan (2021)

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D1 London's form, character and capacity for growth
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire Safety
- D13 Agent of change
- D14 Noise
- E1 Offices
- E2 Providing suitable business space
- 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

- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI6 Digital connectivity infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.2 Office Parking
- T6.3 Retail parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations

5.2 Hackney Local Plan 2033 (2020) (hereafter “LP33”)

- PP1 Public realm
- LP1 Design Quality And Local Character
- LP2 Development And Amenity
- LP3 Designated Heritage Assets
- LP9 Health and Wellbeing
- LP11 Utilities And Digital Connectivity Infrastructure
- LP26 Employment Land and Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP28 Protecting and Promoting Industrial Land and Floorspace in the Borough
- 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
- LP49 Green Chains and Green Corridors
- LP51 Tree Management And Landscaping
- LP53 Water And Flooding
- LP54 Overheating And Adapting To Climate Change
- LP55 Mitigating Climate Change
- LP57 Waste
- LP58 Improving The Environment - Pollution

5.3 Supplementary Planning Documents / Guidance

Greater London Authority:
Sustainable Design and Construction (2014)

London Borough of Hackney
Sustainable Design and Construction SPD (2016)
S106 Planning Contributions SPD (2020)
Public Realm SPD (2012)
Transport Strategy 2015-2025
Kingsland Conservation Area Appraisal 1998

5.4 National Planning Policies/Guidance

National Planning Policy Framework 2021
Planning Practice Guidance

6.0 **PLANNING CONSIDERATIONS**

6.1 **Overview**

6.1.1 The application seeks to provide an additional storey of commercial floorspace to the existing two storey building which is in commercial use falling within the E(g) use class.

6.1.2 The roof extension would have a dual pitched roof clad in a metal standing seam.

6.1.3 Improvements to the ground floor courtyard and gate would also be made which includes the addition of cycle parking.

6.1.4 The main considerations relevant to this application are:

- Land use
- Design
- Conservation
- Residential amenity of neighbouring properties
- Green infrastructure and biodiversity
- Transport and servicing
- Sustainability and energy
- Drainage and flood risk
- Equalities Considerations
- Community Infrastructure Levy

6.1.5 Each of these considerations is discussed in turn below.

6.2 **Land use**

6.2.1 The current building is in commercial use and is considered to fall within Use Class E (formerly Class B1).

- 6.2.2 The development proposes approximately 77 square metres of new commercial floorspace. The proposed layout is considered to be acceptable, providing adequate light and outlook with an acceptable headheight. The space would be providing additional floorspace for the occupier of the building.
- 6.2.3 Planning conditions restricting the building to uses within Use Class E(g) and restricting changes of use to residential will be added to ensure any effects from a change of use can be properly assessed in a planning application.
- 6.2.4 In light of the above, the principle of additional commercial floorspace to an existing building is considered to be in accordance with London and local policies.

6.3 Design

- 6.3.1 London Plan policy D3 says that development should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 6.3.2 Policy LP1 states that all new development must be of the highest architectural and urban design quality. Key elements of the policy include that development should respond to local character and context and be compatible with the existing townscape including urban grain and plot division.
- 6.3.3 The proposed roof extension to the existing building is considered acceptable in principle.
- 6.3.4 The proposals have been extensively revised in the light of guidance provided since the withdrawal of application 2020/4057 and positive engagement with the response is welcomed, particularly in the modelling of the redesign and the retention of the chimney and front parapet.
- 6.3.5 The proposed roof extension has been remodelled as a pitched roof element in standing seam zinc, with circular windows at each end. The scale of this is reasonably modest (3.6m in height internally from the existing roof level). The form is considered appropriate and is seen elsewhere on similar developments in the area. The round window references Victorian industrial gable windows, although at a larger scale.
- 6.3.6 The proposed materials will complement the existing building whilst providing clear definition between the old building and the new extension.
- 6.3.7 Proposed alterations to the north facing windows are considered to be a design improvement by removing bars on the windows and replacing windows with timber frames.
- 6.3.8 The materials and details are all appropriate to the Conservation Area and this building.

Courtyard and front boundary treatment

6.3.9 The proposal also includes a new gate to the courtyard on Geffrye St and other minor alterations to the courtyard. The proposed changes are acceptable in principle but samples of materials and further details will be required by condition.

6.4 Conservation

6.4.1 The Council is under statutory duties contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 to grant permission only to applications which preserve or enhance listed buildings, their settings and conservation areas.

6.4.2 The National Planning Policy Framework provides a range of policies relating to heritage protection at paragraphs 189 to 208.

6.4.3 Policy HC1 of the London Plan (2021) and policy LP3 of LP33 require that development preserves or enhances the character of designated heritage assets.

6.4.4 The applicant provided a *Heritage Impact Assessment* (DWD, April 2021) in support of the application. The Heritage Statement shows that the listed houses at 2 to 16 Pearson Street, which date from about 1810, originally had longer gardens. The building which now forms 83a Geffrye Street appears for the first time on the 1896 Ordnance Survey Map and may have been built in 1895 for James Cole, a builder living in 16 Pearson Street. It may be a separate address by 1915 and certainly is by 1927. At the time of listing, the building did not form part of the listed buildings. For the avoidance of doubt, the Council considers that this building is not curtilage listed under Section 1 (5) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.4.5 The building is considered to be a positive contributor to the significance of the Conservation Area. This is because, although modest, it is a well built and characteristic late 19th century small industrial workshop. The building has a simple beauty from its regular rhythm of windows and the use of traditional materials executed carefully (for example the red rubbed brick arches) and neatly. It also has some significance as an example of a good small late industrial building from the 19th century, representing this important part of the area's history.

6.4.6 The Conservation Area statement does not mention Geffrye Street specifically, although the industrial character of cobbled back streets and their remaining historic and formerly industrial fabric is a valuable part of the Conservation Area's character. We agree with the applicants that "Geffrye Street retains a strong industrial backstreet quality emphasised by juxtaposition of the yellow stock brick and use of contemporary materials on the modern refits, particularly in relation to the railway arches. The cobbled street surface also adds strongly to this character and unifies the area." We also agree that "...the building, being a former builder's workshop, reflects the historical industry of this area, its outwards plain character and use of materials adds positively to the prevailing character of the area."

6.4.7 We note the view of the Kingsland CAAC: "We have some concerns about the design of the proposed roof extension. The building sits to the rear of the listed

Georgian Terrace in Pearson Street and its overall height and bulk should be in proportion to the terrace.” These issues were carefully considered in relation to the previous application (2020/4057) and were one of the reasons for previous negative commentary. The view of officers is that the proposed height of the roof extension at the ridge remains subsidiary to the listed buildings; it is further considered that the positive design of the extension and the choice of materiality is such that the setting of the listed buildings is neutrally affected. The pitched roof form of the proposals is such that the nearest plane of the proposed extension leans away from the listed buildings. Although there is some impact to setting, since there is an increase in height near the listed buildings, this is not considered, in this instance, to be harmful.

Conclusion

- 6.4.8 No harm is caused to the designated heritage asset (the Conservation Area) or the setting of designated heritage assets (the nearby listed buildings). The policy tests in National Planning Policy Framework Paragraphs 201 and 202 are therefore not engaged and the Council considers that it has discharged its duties under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.4.9 The proposed development conforms with The London Plan Policy HC1 Heritage conservation and growth Part C: “Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings”.
- 6.4.10 The proposed development conforms with the Local Plan policies LP1 Design Quality and Local Character and LP3 Designated Heritage Assets.

6.5 Residential amenity of neighbouring properties

- 6.5.1 London Plan policy D6 states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context including minimising overshadowing. Policy LP2 of LP33 states that all new development must be appropriate to its location and should be designed to ensure that there are no significant adverse impacts on the amenity of neighbours.

Daylight and sunlight impacts

- 6.5.2 The British Research Establishment (BRE) has produced guidance on assessing the impact of proposals on the daylight and sunlight received by adjoining properties.
- 6.5.3 As outlined in the supporting text for policy LP2, BRE guidance needs to be applied with regard to the site context. Sunlight and daylight target criteria as found in the BRE guidance have been developed with lower density suburban situations in mind. In denser inner urban contexts, sunlight and daylight levels may struggle to meet these target criteria in both existing and proposed situations. The target criteria cannot therefore be strictly applied for dwellings in denser inner urban locations as a matter of course.

- 6.5.4 The applicant has submitted *Daylight and Sunlight Report V1* (Point 2 Surveyors, July 2021) with this application.
- 6.5.5 Three tests were carried out with their results reported below
- Vertical Sky Component (VSC): This is the ratio of the direct sky illuminance on the centre of the outside pane of a window, to the simultaneous illuminance on an unobstructed horizontal plane. This should be greater than 27% or more than 0.8 times its former value (before the new development).
 - No-skyline (NSL): This is the outline of the area that has a direct view of the sky on a working plane. Where room layouts are known, in each of the main rooms, the area that receives direct light from the sky should be more than 0.8 times its former value (before the new development).
 - Annual Probable Sunlight Hours (APSH): This is the average of the total number of hours during a year in which direct sunlight reaches the centre of a window. This should be more than 25% of the total Annual sunlight hours including at least 5% of the total annual sunlight hours in the winter months or more than 0.8 times its former value.
- 6.5.6 While it is noted that an ADF assessment was also carried out, this test is more commonly used for proposed dwellings where the use of the room is known. Therefore the results of the ADF assessment have not been reported below.

2-16 Pearson Street

- 6.5.7 2 - 16 Pearson Street is a terrace of three-storey (plus basement) predominantly residential buildings to the immediate north of the development site.
- 6.5.8 The results of the VSC study for these properties show that all residential windows assessed meet the BRE guidance.
- 6.5.9 In relation to the NSL all but two windows meet the BRE recommended figures. The two windows which do not are located in 12 Pearson St and 14 Pearson St.
- 6.5.10 The window in 12 Pearson St which would be affected is to a bedroom and it retains a figure of 72% its former value. The window in 14 Pearson St would have a figure of 67% their former value. In a dense urban context this is considered to ensure the rooms will retain sufficient daylight.
- 6.5.11 In terms of APSH, the majority of rooms within the terrace meet the strict application of the BRE figures. The one room which doesn't is within 14 Pearson St. The window in Pearson St will record 4% in winter as a result of the proposed development. However, the annual figure records a retained figure of 60 which is considered very good and therefore the house will retain an acceptable level of sunlight year round.

8-13 Sovereign Mews

- 6.5.12 This is a residential building of three-storeys located to the south of the site.
- 6.5.13 The results of the VSC study for this property show that all residential windows assessed meet the BRE guidance.
- 6.5.14 The results of the NSL show that all but two windows in 11-13 Sovereign Mews meet the BRE criteria. These two windows would retain values of 63% and 71% of their former value which are considered acceptable given the dense urban context.
- 6.5.15 APSH was not assessed as the windows do not face within 90 degrees of due south of the site.

North Stables, 138 Kingsland Road

- 6.5.16 North Stables is a four-storey building which contains residential units located to the west of the development site.
- 6.5.17 The results of the VSC, NSL and ADF assessments for this property demonstrate no impact as a result of the proposed scheme.
- 6.5.18 The windows were not tested for sunlight due to the orientation and the distance from the development site.

Overshadowing

- 6.5.19 The sunlight levels of amenity spaces of nearby developments are also assessed as sunlight in the spaces between buildings has an important impact on the overall appearance and ambience of a development.
- 6.5.20 It is recommended that for a space to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If, as a result of new development, an existing garden or amenity area does not meet the above, and the area which receives two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.
- 6.5.21 The Daylight and Sunlight report has undertaken an assessment of the impact of the proposed development on the amenity spaces of 2-16 Pearson St.
- 6.5.22 The results for 14-16 Pearson St show that with the current building in place, these gardens do not currently have any area which would achieve 2 hours of sunlight on 21 March. The property at no. 12 retains its low levels of sunlight as a result of the proposed development. The only affected garden would be No.10 which would have a reduction from 25.9% to 25.4%, this is considered to be negligible and indicates that a sufficient amount of sunlight in relation to the existing situation would be retained.

Privacy, overlooking and outlook

- 6.5.23 Developments are assessed for their impact on the privacy and outlook of neighbouring properties. Privacy is assessed by looking at the distance between

buildings and the placement of windows. The Council has no specific policy guidance on acceptable separation distances for outlook. This is due to the differing established grain and density of the borough, the potential to limit the variety of urban space and unnecessarily restrict density.

- 6.5.24 The proposed roof extension is not considered to adversely affect outlook. While there is additional height to the building this is mitigated by the dual pitched roof which slopes away from affected windows to both the north and the south.
- 6.5.25 The proposal features two round windows in the east and west elevations and 16 rooflights. There have been concerns raised about privacy and overlooking neighbouring properties. However, as can be seen from the submitted sections, the height of the rooflights means it is not possible for people to see directly into neighbouring windows.
- 6.5.26 The applicant has agreed to a condition which would require obscure glazing for the west facing window below 1.7 metres above finished floor level to reduce overlooking over the rear of the gardens of Pearson St.

Noise and disturbance

- 6.5.27 Objectors have raised concerns about the south facing rooflights and the impact that these may have in terms of noise and disturbance. They have stated that as there are currently no south facing windows in the building, when open these would result in a loss of amenity. However, it is noted that the proposed use is compatible with the surrounding uses as it will be restricted to E(g) uses such as offices or studios. Any unreasonable noise on site would be dealt with under Environmental Health powers.

Conclusion

- 6.5.28 Overall the development is not considered to have an adverse impact on the amenity of neighbouring residents.

6.6 **Green infrastructure and biodiversity**

- 6.6.1 Policy G1 of the London Plan (2021) and policy LP46 of LP33 (2020) require that all development should enhance the network of green infrastructure.
- 6.6.2 Policy LP47 of LP33 (2020) requires that all development should protect and where possible enhance biodiversity leading to a net gain and should maximise opportunities to create new or make improvements to existing natural environments, nature conservation areas, habitats or biodiversity features.
- 6.6.3 The proposal is limited in the improvements it can make to biodiversity improvements given the rooftop location. A condition requiring the provision of bird boxes will be attached to the permission to provide habitat for urban species.
- 6.6.4 The proposal includes planting within the courtyard which will help to provide greenery at street level. This is sufficient for the scale of development proposed.

6.7 Transport and servicing

- 6.7.1 The site has frontage on Geffrye St. It has a PTAL score of 6a (on a scale of 1 to 6b where 6b is the most accessible) indicating an excellent level of access to public transport. A number of bus services operate in close proximity to the site particularly along Kingsland Road. Hoxton overground station is located approximately 190m to the south.
- 6.7.2 The highways surrounding the site are within Hackney Controlled Parking Zone F with restrictions in place from 07.30 to 18.30 Mondays to Fridays and 07.30 to 13.30 on Saturdays. Santander Bike hire docking stations are located outside Hoxton station.
- 6.7.3 Policy LP42 of LP33 requires development to provide cycle parking spaces for employees and visitors at a rate of 1 space per 50 sqm for staff plus 1 space per 500 sqm for visitors. Given the small scale of the proposed development the cycle storage for 6 bicycles in the courtyard is acceptable. Details will be secured by condition. The development also includes staff showers and changing facilities which are supported.
- 6.7.4 A construction logistics plan will be secured by condition to ensure the development does not adversely affect neighbours or highways safety during construction. This will need to be approved in consultation with London Overground to ensure the development does not adversely affect rail assets.
- 6.7.5 Policy 57 of LP33 states developments should provide clear details in plans for the facilities needed for the storage and collection of waste and recycling.
- 6.7.6 The development is providing waste bins in the courtyard with access from Geffrye St. Given the minor nature of the development this is considered acceptable. A condition requiring that they are presented to the street on collection day only and returned inside the development will be attached to the permission.

6.8 Sustainability and energy

- 6.8.1 Policy SI2 of the London Plan (2021) and policy LP54 of LP33 require all development to regulate internal and external temperatures through orientation, design, materials and technologies which avoid overheating, in response to the Urban Heat Island Effect and addressing climate change.
- 6.8.2 Policy LP55 applies to all new developments and states that these must actively seek to mitigate the impact of climate change through design which minimises exposure to the effects, and technologies which maximise sustainability.
- 6.8.3 The application was supported by Energy Statement (envision, 15 April 2021). Alterations have been made to the design following pre-application advice on previous schemes and so the energy strategy focuses on a 'fabric first' approach, by maximising the thermal performance of the revised scheme to lower space heating demands. The minimal heating and hot water demand will be provided via high-efficiency, low NOx gas-fired boilers.

6.8.4 The proposed refurbishment and extension would result in the development achieving a 22.41% reduction in CO₂ emissions when compared to a notional building baseline. The development is considered to have achieved the maximum feasible reductions in carbon emissions in line with policy LP55 of the Local Plan.

6.8.5 A condition requiring compliance with the energy statement will be attached to the permission as will a condition requiring that low NO_x gas-fired boilers are used.

6.9 **Drainage and flood risk**

6.9.1 Policy LP53 of LP33 requires all development to have regard to reducing flood risk, both to and from the site, over its expected lifetime.

6.9.2 The proposed alterations are largely confined to the roof of the existing building and within the existing footprint so the development is not considered to increase the risk of surface water flooding in the vicinity.

6.9.3 The development is therefore in accordance with policies SI12, SI13 and LP53.

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 S149 Equality Act 2010, the development proposals do not raise any equality issues.

6.11 **Community Infrastructure Levy (CIL)**

6.11.1 Developments within London Borough of Hackney are subject to Mayoral CIL2 which sets a levy on development to help fund Crossrail 2. The rate for Hackney is set at £60 per square metre of development subject to indexation.

6.11.2 Therefore the development will be required to pay approximately £4,620 = £60 x 77 sqm additional floorspace.

6.11.3 Hackney CIL is not applicable to this development as office developments are not liable in this part of the borough.

6.11.4 The figures above do not take into account any relief sought, or indexation to be applied. These will be applied when CIL is payable, prior to commencement of development.

7.0 **CONCLUSION**

- 7.1 The development delivers a high quality roof extension to the existing building which will provide additional space for the occupiers of the dwelling.
- 7.2 Cycle parking will be provided at ground floor to help ensure a sustainable form of development.
- 7.3 The proposal is, on balance, deemed to comply with the relevant policies in the Hackney Local Plan 2033 (2020) and the London Plan (2021), and the granting of planning permission is recommended subject to conditions.

8.0 **RECOMMENDATIONS**

8.1 **Recommendation A**

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

8.1.1 **Commencement within three years**

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

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

8.1.2 **Development in accordance with plans**

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

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

8.1.3 **Design details to be approved**

Notwithstanding the details shown on the plans and documents hereby approved, the following details to consist of drawings scaled 1:10/1:20, a fully detailed materials sheet and material samples to be reviewed on site, for all the visible parts of the scheme, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. This shall include, but not be limited to, the following:

- A. Samples of all external materials including any bricks and standing seam zinc
- B. Details of the rooflights and the round windows in the proposed roof extension;
- C. Details of the replacement windows and doors to the existing building;
- D. Details of refuse storage;
- E. Details of the proposed treatment of external areas including any hard surfaces, planting, machinery and plant, storage elements and any other

new elements within the site as a whole.

F. Low transparency glazing

The development shall not be carried out otherwise than in accordance with the details thus approved and retained thereafter.

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

8.1.4 **Pipes details**

Details of any new plumbing, pipes, soil stacks, flues, vents, grilles, security alarms or ductwork shall be submitted to and approved in writing by the Local Planning Authority, prior to their installation. The works shall only be implemented in accordance with details approved and retained thereafter.

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.

8.1.5 **Construction logistics and management plan**

Prior to commencement of above ground works, a detailed Construction Logistics and Management Plan covering the matters set out below must be submitted to and approved in writing by the Local Planning Authority in consultation with Rail for London (Overground). The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration and dust from the site. The development shall only be implemented in accordance with the details and measures approved as part of the construction management plan, which shall be maintained throughout the entire construction period.

The construction management plan covering all phases of above ground works shall include but not be limited to the following:

i) A method statement covering all phases of above ground works of the project to include details of noise, vibration and dust control measures.

ii) A construction method statement covering all phases of above ground works to include details of noise control measures, and measures to preserve air quality;

iii) Details and locations of all noisy activities including mobile plant machinery, and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS 5228.

iv) Construction methodology (including risks assessments and method statements) including details of crane /lifting management for any cranes/HIABS proposed to be used

v) Details of the locations 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) and the duration of construction.

vi) Deliveries to site and associated with removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

vi) Procedures for maintaining good public relations including complaint management, public consultation and liaison - Arrangements for liaison with the Council's Community Safety Team.

REASON: To ensure that occupiers of residential premises do not suffer a loss of amenity by reason of noise nuisance during site activities

8.1.6 **Cycle Parking and Storage**

Notwithstanding the hereby approved plans, details of cycle parking shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of above ground construction. The plan shall include:

- space for 6 cycles
- details of layout, foundation, stand type and spacing, of all cycle parking spaces

The storage spaces and stands must be retained and maintained in good working order, in accordance with the approved details, for the lifetime of the development.

REASON: To ensure that adequate provision for the safe and secure storage of bicycles is made for future occupiers and in the interest of safeguarding highway safety.

8.1.7 **Energy statement**

The development shall be implemented in accordance with the measures identified in the *Energy Statement Rev C prepared by Envision dated 15 April 2021* hereby approved.

REASON: In the interest of sustainability

8.1.8 **Waste**

Prior to the occupation of the development, the waste storage facilities hereby permitted, shall be implemented in full and shall be maintained as such for the lifetime of the development. The waste and recycling bins shall be taken to the street and returned to within the site on collection day only.

REASON: To ensure sufficient refuse and recycling storage within the development and in the interests of highway safety and amenity.

8.1.9 **Use of floorspace**

The floorspace hereby approved at second floor shall at all times be used only as floorspace within the meaning of Class E (g) of the Town and Country Planning (Use Classes) Order 1987 (UCO) and for no other purposes which for the avoidance of doubt shall include no other use within Class E of the UCO unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the provision of commercial floorspace to meet the needs of future residents.

8.1.10 **Permitted development restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by any order revoking and re-enacting that Order with or without modification) no change of use within Schedule 2, Part 3 shall be carried out without an express application for planning permission.

REASON: To ensure the retention of commercial floorspace in the borough

8.1.11 **Obscure glazing**

The window in the west elevation at second floor level shall be obscure glazed and fixed shut below 1.7 metres above finished floor level.

REASON: To protect the amenity of neighbouring residents

8.1.12 **Nesting bricks**

Prior to the first occupation of the development hereby approved a minimum of two Swift nesting bricks and/or boxes shall be provided at or close to eaves level of the development hereby approved. The bricks/boxes shall be retained thereafter in perpetuity.

REASON: In the interests of biodiversity

8.1.13 **Boilers**

All non-Combined Heat and Power space and hot water fossil fuel (or equivalent hydrocarbon based fuel) boilers must achieve dry NO_x emission levels equivalent to or less than 40 mg/kWh.

REASON: To protect air quality and human health by ensuring that the production of air pollutants are kept to a minimum during the course of building works and during the lifetime of the development.

8.2 **Recommendation B**

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

8.3 **INFORMATIVES**

8.3.1 The following information should be added as informatives :

S1.1 Building Control

SI.2 Work Affecting Public Highway

SI.3 Sanitary, Ventilation and Drainage Arrangements

- SI.6 Control of Pollution (Clean Air, Noise, etc).
- SI.7 Hours of Building Works
- SI.28 Refuse Storage and Disposal Arrangements
- SI.40 Application for Advertisement Consent - Advert Not Shown
- SI.57 CIL
- NPPF - Applicant/Agent Engagement

8.3.2 Additionally, the following informatives requested by consultees should be added:

Thames Water:

8.3.3 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.

Rail for London:

8.3.4 No part of the development shall be commenced unless a minimum of 6 weeks' notice of the commencement date has been given in writing to Rail for London (RfL). Reason: To protect the safe operation of the Railway.

8.3.5 All development shall be carried out in accordance with RfL's document entitled 'Special Conditions for Outside Parties developing on or near the railway'.

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

8.3.7 RfL may need to request the applicant conducts a reflected glare assessment to confirm there shall be no impact to Railway operations during or after the completion of the Development.

8.3.8 The external lights and those installed during the construction period and in the permanent state shall not shine directly onto RfL's property.

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

ALED RICHARDS
Director, Public Realm

NO.	SUBMISSION DOCUMENTS, POLICY/GUIDANCE, 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.	Louise Prew (Senior Planning Officer) x8613	2 Hillman Street, London E8 1FB

	<p>Policy/guidance from other authorities/bodies referred to in this report are available for inspection on the website of the relevant authorities/bodies</p> <p>Other background papers referred to in this report are available for inspection upon request to the officer named in this section.</p> <p>All documents that are material to the preparation of this report are referenced in the report</p>		
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