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| ADDRESS: Haggerston Baths, Whiston Road, London, E2 8BN | |
| WARD: Haggerston | REPORT AUTHOR: Nick Bovaird |
| APPLICATION NUMBERS: 2021/2491 and 2021/2495 (Listed Building Consent) DRAWING NUMBERS: 18099-SQP-XX-B1-DR-A-00001, 00-DR-A-00002, M0-DR-A-00003, 01-DR-A-00004, 02-DR-A-00005, RF-DR-A-00006, ZZ-DR-A-00007, ZZ-DR-A-00008, ZZ-DR-A-00009, ZZ-DR-A-00010, ZZ-DR-A-00011, ZZ-DR-A-00012, ZZ-DR-A-00013, 18099-SQP-XX-00-DR-A-PL001, 00-DR-A-PL002 Rev B, B1-DR-A-PL003 Rev A, 00-DR-A-PL004 Rev A, 01-DR-A-PL005 Rev A, 02-DR-A-PL006 Rev A, 03-DR-A-PL007, 04-DR-A-PL008 Rev A, 05-DR-A-PL009 Rev A, RF-DR-A-PL010 Rev A, ZZ-DR-A-PL011, ZZ-DR-A-PL012, ZZ-DR-A-PL013, ZZ-DR-A-PL014, ZZ-DR-A-PL015 Rev A, ZZ-DR-A-PL016 Rev B, ZZ-DR-A-PL017, ZZ-DR-A-PL018, ZZ-DR-A-PL019 Rev A, ZZ-DR-A-PL020 Rev C, ZZ-DR-A-PL021, ZZ-DR-A-PL022, ZZ-DR-A-PL023, Demolition drawings: 18099-SQP-XX-B1-DR-A-01001 Rev A, 00-DR-A-01002 Rev B, M0-DR-A-01003,01-DR-A-01004, 02-DR-A-01005, RF-DR-A-01006, ZZ-DR-A-01007, ZZ-DR-A-01008, ZZ-DR-A-01009, ZZ-DR-A-01010, ZZ-DR-A-01011 Rev B, ZZ-DR-A-01012 Rev B, ZZ-DR-A-01013, Schedule of works drawings: 18099-SQP-XX-B1-DR-A-20001 Rev A, 00-DR-A-20002 Rev A, 01-DR-A-20003 Rev A, 02-DR-A-20004 Rev B, 03-DR-A-20005 Rev B, 04-DR-A-20006 Rev B, 05-DR-A-20007 Rev B, RF-DR-A-20008 Rev B, ZZ-DR-A-20009 Rev A, ZZ-DR-A-20010 Rev A, ZZ-DR-A-20011 Rev A, ZZ-DR-A-20012 Rev A, Planning Statement September 2021, Design and Access Statement Rev A dated June 2021, Historic Building Report August 2021 by Donald Insall Associates, Daylight Sunlight Report 07/01/2022, | VALID DATE: 12-10-2021 |

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| <p>Transport Statement July 2021, Framework Travel Plan July 2021, Draft Delivery & Servicing Plan July 2021, Energy Statement Rev D December 2019, BREEAM Pre-Assessment Rev B, Noise Impact Assessment VA2496.210728.NIA2.1 dated 28 July 2021, Archaeological Desk-based Assessment Rev 5 13/08/2021, Air Quality Assessment 22144-AQA-20-204 REV B July 2021, Urban Greening Factor 18099-SQP-ZZ-ZZ-DR-A-PL027 Rev A, Urban Greening Factor 21st September 2021 by Squire and Partners, Pool Hall Roof Light, Statement of Community Involvement July 2021, BREEAM Pre-Assessment Rev B, Condition Survey January 2019 by Donald Insall Associates, Flood Risk Assessment & SuDS Strategy Report by Heyne Tillett Steel.</p> <p>Additional post submission: Flood Risk Assessment for BREEAM Assessment from Create Consulting Engineers, Draft Operational Management Plan August 2021, Fire Statement Policy D12 dated 9th December 2021 by Squire and Partners, Design and Access Statement Addendum January 2022, Outline Discounted Workspace Strategy January 2022 DP9 Ltd. Castleforge Amended Development Appraisals and Explanatory Note dated 11 January 2022</p> | |
| <p>APPLICANT: Haggerston Baths Ltd, C/O Agent.</p> | <p>AGENT: DP9, 100 Pall Mall, London, SW1Y 5NQ</p> |
| <p>PROPOSAL: Part demolition of the western extension and erection of part three, five and six storey (plus basement and lightwell) extension; demolition of external stair and two-storey side/rear element on eastern elevation and erection of two storey (plus basement) extension and external alterations and refurbishment to provide office floorspace (Use Class E(g)), flexible events space in the former pool hall (Sui Generis), standalone community hall (Use Class F2(b)), gym (Use Class E(d)) and retail (Use Class E(a)).</p> | |
| <p>POST SUBMISSION REVISIONS:</p> <ul style="list-style-type: none"> • Finalisation of viability information; • Submission of draft Operational Management Plan, draft Fire Strategy, Flood Risk Assessment, amended BREEAM pre-assessment, amended Daylight and Sunlight Report, a new East/West Section drawing and Design and Access Statement Addendum. <p>A fourteen day reconsultation has taken place with neighbours subsequent to the receipt of these revisions.</p> | |

RECOMMENDATION SUMMARY:

Grant planning permission subject to conditions and completion of a legal agreement in relation to S106 of the Town and Country Planning Act 1990 (as amended).

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:

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| Major application | Yes |
| Substantial level of objections received | Yes |
| Other (in accordance with the Planning Sub-Committee Terms of Reference) | |

ANALYSIS INFORMATION

ZONING DESIGNATION: (Yes) (No)

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|-----------------------------|----------------|---|
| CPZ | Yes (Hoxton) | |
| Conservation Area | | No (Adjacent to Regents Canal CA. Within setting of Hackney Road CA) |
| Listed Building (Statutory) | Yes (Grade II) | No |
| Listed Building (Local) | | No |
| Priority Employment Area | | No |

| PARKING DETAILS: | Parking Spaces (General) | Parking Spaces (Disabled) | Bicycle storage |
|-------------------------|--------------------------|---------------------------|----------------------------|
| Existing | 0 | 0 | 0 |
| Proposed | 0 | 0 | 86 Long Stay 36 Visitor |

| LAND USE DETAILS: | Use Class | Use Description | Floorspace Sqm |
|--------------------------|-------------|--------------------|----------------|
| Existing | F2(d) | Swimming Pool | 4437 |
| Proposed | Sui Generis | Flexible Community | 1031 |
| | E(g) | Office | 5500 |
| | F2(b) | Community Hall | 96 |
| | E(d) | Gym | 267 |
| | E(a) | Cafe | 44 |

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The application site is bounded to the north by Laburnum Road and to the south by Whiston Road, and lies to the west of the junction with Queensbridge Road. The site is occupied by the statutory listed Haggerston Baths (Grade II) which has lain vacant since 2000. The site is located within the City Fringe Opportunity Area (OA) as identified by the London Plan.
- 1.2 The surrounding area is characterised by low to mid rise buildings particularly to the north and south of the site with maximum heights of five storeys. There are limited numbers of taller buildings, to the east along Whiston Road and west along Queensbridge, with heights of around ten storeys.
- 1.3 The application site has a PTAL (Public Transport Accessibility Level) of 5, in a range of 1 (low) and 6 (high). Frequent bus transit to other parts of the borough, as well as the City, the South Bank and the West End operate from Kingsland Road to the west and Queensbridge Road to the east. The application site is equidistant from Haggerston and Hoxton stations on the London Overground (approximately 500 metres).

2 CONSERVATION IMPLICATIONS

- 2.1 The application site is statutorily listed at Grade II. No other statutorily listed or locally listed buildings are affected by the application.
- 2.2 The site is adjacent to the Regent's Canal Conservation Area to the north and is within the setting of the Hackney Road Conservation area, located across Queensbridge Road to the east.
- 2.3 The site is within an Area of Archaeological Priority.

3 HISTORY

- 3.1 There is no relevant planning or enforcement history.

4 CONSULTATIONS

- 4.1 Date Statutory Consultation Period started: 15/11/2021. A 14 day reconsultation began on 11/01/2022.
- 4.2 Date Statutory Consultation Period ended: 08/12/2021. The 14 day reconsultation period ends on 25/01/2022.
- 4.3 Site Notice: Yes (full planning and LBC). The 14 day reconsultation involved neighbour letters only.
- 4.4 Press Advert: Yes (full planning and LBC).

4.5 Neighbours

4.5.1 Letters were sent to 200 neighbouring occupiers for the full planning application. In total 33 letters of objection have been received to date (21st January 2022). Since the latest re-consultation, no letters of objection have been received.

4.5.2 Responses to these objections are addressed in the assessment section of the report. The objections were on the following grounds:

- The daylight/sunlight report does not consider the private gardens to the front of Swimmers Lane residential properties;
- Swimmers Lane residential properties facing the development (Basin Mill apartments and London Mill apartments) are single aspect;
- Impact on character of listed building;
- Impact of light pollution from proposed offices;
- Little benefit to the local community. There are already 3 community facilities in the neighbouring streets who provide such space for hire for classes and events (151 Centre, Kingsland Road and Thurtle Road);
- Any terraces provided for the offices should be used only at defined times;
- Main hall would be used for private functions;
- Impact on local traffic and parking;
- Castleforge's community involvement process involved leading questions and a non-functioning website;
- New Swimmers Lane office entrance is too close to existing housing;
- Swimmers Lane will become a default smoking area for office workers;
- Swimmers Lane is currently used as a community space;
- The estimated noise levels are so unrealistically low. For example 40 decibels is the noise level considered to be the equivalent of 'a quiet library' and yet the noise report's highest estimated level is 36 decibels on Swimmers Lane where the main entrance will be;
- The plans remove the existing 2 cycle spaces on Swimmers Lane and replace them with 28 only adding an additional 8 cycle parking spaces for public users of the building, office visitors and short stay parking for the offices.
- Instead of bike racks on Swimmers Lane, the Council should widen Whiston Road and put the bike racks there;
- Deliveries to Swimmers Lane will cause pedestrian conflicts and noise to adjacent residents;
- Impact of the construction phase on local residents;
- This is not a suitable area for office development;
- There is no need for office development following the Covid outbreak and no need for office development in this location;
- Impact on local air quality;
- Danger to local residents from asbestos in the demolition process;

- The submitted plan is higher than was shown in the original public consultation, prior to the first planning application;
- Large vehicles cannot exit onto Kingsland Road due to the train bridge. These large vehicles will be required to do a 3-point turn outside the school and Basin Mill Apartments. The tracking plan has not included this;
- The proposal does not meet BREEAM Excellent standard and therefore does not comply with Hackney Policy DM38.
- No disabled parking is proposed;
- The energy statement says there is going to be solar / pv panels on the existing roof, but these are not shown on the drawings;
- The details of the application, such as replacement doors should be established;
- The swimming pool should remain a swimming pool. A sauna and steam room should be added;
- Noise from external plant should be kept to a minimum;
- There should be a curfew on all noise from people outside the building at 7pm on weekdays and 10pm on the weekend.

4.6 Statutory Consultees

4.6.1 Thames Water:

No objection. The proposed development is located within 15 metres of underground Thames Water infrastructure. Standard conditions should be recommended in respect of foul water and surface water drainage and standard informatives should also be added.

Officer's Note: The proposed conditions and informatives have been recommended below.

4.6.2 Historic England:

No objection. We commented on the previous submission of these proposals in April 2020 (application references 2020/0357 and 0379) and note that the proposals have been revised since that original submission in order to address most of the comments made in our letter.

In summary, we welcome the repurposing and reuse of this building, which is on our Heritage At Risk Register for London.

4.6.3 Historic England GLAAS:

No objection. The planning application lies in an area of archaeological interest. The proposals include a significant basement extension in the north west. Remains of the early settlement of Haggerston and remains contemporary with the projected line of the Roman road nearby may be affected by the scheme. A condition is therefore recommended to require a stage 1 written scheme of investigation (WSI), along with an informative on the same basis.

Officer's Note: The proposed condition and informative have been recommended below.

4.6.5 Natural England:

No comment.

4.6.6 Health and Safety Executive:

No objection.

4.7 Local Groups/Consultees

4.7.1 Metropolitan Police (Secured by Design Officer):

No objection in principle, subject to a standard condition and informative, requiring secure by design accreditation.

Officer's Note: The proposed condition and informative have been recommended below.

4.7.2 The Hackney Society:

Objection. The design of the application has not evolved sufficiently since it was first submitted, prior to the cyber attack. We have concerns over the massive roof element and the presence of that new element on Laburnum Street in particular. The tall proportions of the windows appear to counter the attempt to be recessive. It is disappointing that further work hasn't been done to demonstrate this is the optimal massing given the significant concerns expressed over the dominance of the roof elements.

The proportions of the new elevations are curious and the ratio of window to wall might be considered refreshing but only if the applicant gets the choice of brick right, and we don't think they have. The highly varied/textured brick is similar to every other new residential development in the area and fights with the existing building. A muted brick might ensure the addition sits apart and is very much second in command; as it needs to be understated and modest. But in any event this needs to be demonstrated through the exploration of design options.

In any event the proportions lead to uncomfortable indoor spaces - for instance the cill levels internally seem too high. We had hoped to see further exploration of the options in this regard as the result seems sub-optimal.

Although the main hall is designated as being available for a variety of uses its flexibility is limited by the serviceability and accessibility of the space through the narrow heritage frontage.

4.7.3 Viability (Council Appointed Viability Consultants):

Having reviewed the applicants' submission (and following clarifications, additional submissions and discussions with the applicant), we agree with the main findings of the report, that the scheme is marginal in relation to viability and that the removal of a storey to the western extension would leave the scheme unviable in its current form. Where differences in the costs and revenues of the scheme have been identified between ourselves and the applicants' viability consultants, these are not significant in their effect on the overall scheme viability.

4.7.4 Hackney Swifts Society:

No objection. We request appropriate measures for biodiversity including swift nesting boxes, in accordance with the recommendations of an ecologist.

4.8 Council Departments

- 4.8.1 Transportation: No objection. A CPZ exclusion to restrict parking permits being issued is recommended for all users of the proposed site (except those with a blue badge). This should be done in the shape of a condition, secured via a legal agreement. 2 Blue Badge parking bays must be provided as part of the application and a Parking Design and Management Plan should be submitted prior to occupation and approved by the Council indicating how the car parking will be designed and managed, with reference to Transport for London guidance on parking management and parking design. A policy compliant cycle parking plan is required which shows details of layout, foundation, stand type and spacing. A full Travel Plan will be required to be produced and implemented on occupation of the development. Conditions are also required in relation to a Construction Management and Logistics Plan and a Delivery/Service Plan.
- 4.8.2 Streetscene: The proposal is to reconstruct the footway on Laburnum Street, between Swimmers Lane and Queensbridge Road, using concrete paving slabs and new concrete kerbs. The vehicle crossover in front of the garages will be reconstructed using block paving. Four trees will be planted on the footway near the development. The estimated cost of the s278 agreement for these works is £46,681.59.
- 4.8.3 Pollution Noise:
No objection, subject to a number of conditions in respect of noise breakout from the event use, plant noise, hours of use and an operational management plan in respect of the event use.
- 4.8.4 Pollution Land:
Associated with a site of potential concern. Three conditions should be added, in respect of land contamination.
- 4.8.5 Pollution Air:
No objection, the Air Quality assessment is satisfactory.
- 4.8.6 Waste:
No objection. The direct access to the bin store from Laburnum Street is accepted, along with waste and recycling being collected daily (or up to daily).
- 4.8.7 Drainage:
Following clarifications by the applicant, we have no objection, subject to conditions in respect of 1) flood resilience and prevention and 2) Sustainable Urban Drainage measures.

5.0 POLICIES

5.1 Hackney Local Plan 2033 (2020)

- PP1 Public Realm
- LP1 Design Quality and Local Character
- LP2 Development and Amenity
- LP3 Designated Heritage Assets
- LP4 Non Designated Heritage Assets
- LP6 Archaeology
- LP7 Advertisements
- LP8 Social and Community Infrastructure
- LP9 Health and Wellbeing
- LP10 Arts, culture and Entertainment Facilities
- LP11 Utilities and Digital Connectivity Infrastructure
- LP26 New Employment Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP29 Affordable Workspace and Low Cost Employment Floorspace
- LP31 Local Jobs, Skills and Training
- LP38 Evening and Night Time Economy
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP44 Public Transport and Infrastructure
- LP45 Parking and Car Free Development
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.2 London Plan (2021)

- GG1 Building strong and inclusive communities
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D8 Public realm
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- S1 Developing London's social infrastructure
- E1 Offices
- E2 Providing suitable business space

- E3 Affordable Workspace
- E11 Skills and opportunities for all
- HC1 Heritage conservation and growth
- HC5 Supporting London's culture and creative industries
- HC6 Supporting the night-time economy
- 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 4 Managing heat risk
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.2 Office Parking
- T6.5 Non-residential disabled persons parking
- T7 Deliveries, servicing and construction
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

5.3 Supplementary Planning Guidance / Documents (SPG):

City Fringe Opportunity Area Planning Framework (2015)
Regents Canal Conservation Area Appraisal
Hackney Road Conservation Area Appraisal
Kingsland Conservation Area Appraisal
Sustainable Design and Construction SPD (2014)
Hackney Planning Contributions SPD (2020)

5.4 National Planning Policies

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (PPG)
National Technical Housing Standards

5.5 Legislation

Sections 66 and 72 of 1990 Planning (Listed Buildings and Conservation Areas Act 1990)

6.0 COMMENT

6.1 Background

6.1.1 The application follows a consultation process to find a new use for a disused Grade II listed building that was last used in 2000, as a swimming baths, which ended with Castleforge selected as the preferred bidder in 2017. The building is included in the Historic England Heritage at Risk Register 2021 and has been on the register since at least 2014.

6.1.2 The application seeks to demolish part of the later western extension to the building and parts of the basement. The western wing of the building would be extended upwards to a six storey height of which the top two storeys would be set back. Along with the excavation of a basement and numerous works of refurbishment, this would allow the provision of office floorspace in the west wing (Use Class E(g)), a flexible events space in the former pool hall (Sui Generis), a standalone community hall (Use Class F2(b)), a gym (Use Class E(d)) and a cafe (Use Class E(a))

6.1.3 The proposal raises the following planning considerations:

- Principle of Development
- Quality of Accommodation
- Conservation and Design
- Impact to Amenity
- Transportation
- Sustainability
- Waste Storage and Collection
- Biodiversity/ Landscaping
- Fire Strategy
- Consultee Responses
- Community Infrastructure Levy

6.2 Principle of Development

6.2.1 Loss of Swimming Baths (Use Class F2(d))

6.2.2 Local Plan policy LP8(Dii) allows the loss of social and community infrastructure such as the former swimming baths where *“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”*. The building, having been empty since 2000, was subject of a competitive bidding process to find an occupier that could take on the costs of refurbishment and reuse. The Council’s preferred bidder following that process, Castleforge, has put forward the current proposals, which include re-use of the main hall as a public space, while also including other elements (predominantly office floorspace) to help finance the required refurbishment works. Castleforge and LB.Hackney have organised public consultation prior to the submission, as evidenced in the submitted Statement of Community Involvement. We also note that, since

the time the baths were shuttered in 2000, the Britannia Leisure Centre swimming pools have opened nearby, reducing the need for this building in its former use. The process undertaken to this point is considered to meet the requirements of LP8 and the loss of the swimming baths use is considered acceptable in principle, subject to the detailed consideration that follows of the merits of the scheme.

6.2.3 Provision of Employment (B1) uses

6.2.4 In this location, outside of a town centre or Priority Office/Industrial Area, Local Plan policy LP12 is clear that self-contained residential units are the land use for which there is the greatest need. Nevertheless, the constraints of the listed building, including its large internal volumes and deep plan, are such that residential units could not be designed with an adequate standard of accommodation for residential users. Local Plan policy LP25 is clear that office uses can be found acceptable when they are small in scale and would contribute to placemaking, so long as it does not impact significantly on residential amenity. The proposed employment use is designed to be of a sufficient scale to allow the re-use of the listed building and this has been the subject of viability work that has been agreed with officers and the Councils' independent viability consultants. As such, an employment led mixed use scheme is considered acceptable in principle, subject to detailed consideration of the amenity impacts and other considerations.

6.2.5 Provision of Sui Generis Event Space in the Main Pool Hall

6.2.6 The principle of providing a community event space in the main pool hall is considered acceptable, subject to detailed consideration of the impacts of the use, including the specifics of how the use would operate and how it would relate to this main volume of the heritage building.

6.2.7 It is recognised that the success of the main hall as a multi-purpose venue is likely to hinge on how it draws the local community in to experience a range of activities within a shared and inclusive space. As such, there is a tension between leaving the use of the space flexible, in order to accommodate the full range of potential uses, while also retaining controls that ensure that the uses found are not those that are simply the most financially rewarding for the operator. The applicant has submitted a draft Operational Management Plan that proposes a number of uses, alongside the public access to the space. This document is useful in that it provides some clarity as to what might be expected to occur but since it does not, for example, give any indication as to the frequency of private events versus access for the general public, the recommended condition requires a full Operational Management Plan at the next stage that would guarantee public access on at least five days per week for at least the hours between 09:00 to 18:00. This would not prevent events from taking place at the same time as that public access but such events and exhibitions, performances and displays would need to be inclusive and take up only a portion of the hall.

6.2.8 For these reasons and subject to the recommended conditions, the sui generis use of the main hall as a multi-use community and event space is concluded to be a considerable benefit of the scheme.

6.2.9 Provision of Community hall (Use Class F2(b)), Gym (Use Class E(d)) an cafe (Use Class E(a))

6.2.10 These uses are ancillary to the main proposed uses and are considered acceptable in principle as part of the proposed mix within the building.

6.2.11 Employment Training and Affordable Workspace

6.2.12 Local Plan policy LP29 states the Council will seek 10% of the new floorspace within major commercial and mixed use schemes in the borough to be affordable workspace, subject to scheme viability.

6.2.13 The applicant has entered into discussions over scheme viability with the Borough and it is accepted that the costs of restoring the listed building are high. The proposal under the application lost to the cyber attack (2020/0357), is replicated in this application, being the provision of 10% discounted workspace (233sqm), which would be leased at 80% market rate and captured within the s106 legal agreement. This would have met the relevant Affordable Workspace policy target prior to the adoption of the recent Local Plan 2033 policies and it is also accepted that the site is located in an area that is not likely to see such high rental rates as in other areas of the Borough, such as Town Centres or the designated Priority Office Areas. The majority of the office space will not be leased by floorspace but by desk within shared areas, following the 'WeWork' type arrangement. As such, a condition has been recommended requiring a detailed Discounted Workspace Statement prior to occupation, as is envisaged by the draft statement the applicants have provided .

6.2.14 For these reasons, it is considered that the discounted rate of 20%, while not technically 'Affordable Workspace' as defined by policy LP29, represents a reasonable offer in the circumstances of the case and should be found acceptable.

6.2.15 In addition to affordable workspace provision, Ways into Work s106 contributions of £35,138.25 towards Construction and Demolition and £251,086.44 towards End Use have been secured which will provide employment support to residents, through job brokerage, work placements, local labour programmes, supply chain management and programmes aimed at assisting SMEs.

6.2.16 The proposed development provides significant employment enabling and generation public benefit and is consequently deemed to accord with Local Plan Policy LP29 and the Hackney Planning Contributions SPD

6.3 Standard of Accommodation:

6.3.1 Office Floorspace and Layout

6.3.2 In accordance with Local Plan Policy LP27, the Council requires the provision of well designed, high quality buildings and floorspace that is flexible / adaptable to accommodate a range of unit sizes and types with good natural light, suitable for sub-division and configuration for new uses and activities, including for occupation by small or independent

commercial enterprises. The design and layout of the proposed floorspace is of a high quality, is flexible and meets the needs of likely end users, with an appropriate floor to ceiling height and admission of natural light. It is considered acceptable.

6.3.3 Community and Event Floorspace in the former Pool Hall

6.3.4 The floorspace within the main hall of the building has been configured to allow the full experience of an exceptional space. It is considered to be a considerable benefit of the scheme.

6.3.5 Ancillary (Community, Gym and Cafe) Uses

6.3.6 Within the smaller rooms of the large listed building, spaces have been found for multiple additional uses. The proposal is considered to be imaginative in the multiple uses proposed, which make use of original features and existing spaces to create a mix of uses that will help support each other and bring new users into the refurbished building for a range of activities. The provided floorspace is considered appropriate for the new uses.

6.3.7 External Amenity Areas

6.3.8 Local Plan Policy 48 requires 4m² of amenity space per employee. As such, on this tight site which is unable to provide amenity space, there is a shortfall of 1696m² of amenity space. This equates to a payment in lieu to be put towards the provision of new or improved space elsewhere of £194,633. This requirement has been added as a clause in the legal agreement.

6.3.9 Conclusion

6.3.10 The proposed development is deemed to provide a high standard of accommodation for future occupiers, in line with the aforementioned local and regional planning policies.

6.4 Urban Design, Conservation and Heritage Impacts

6.4.1 Policies D1-D4 of The London Plan 2021 require architecture to make a positive contribution to a coherent public realm, streetscape and wider cityscape, incorporating the highest quality materials and design appropriate to the surrounding context. LP33 Policy LP1 states that all new development must be of the highest architectural and urban design quality. Development must respond to local character and context having regard to the boroughwide Characterisation Study, and be compatible with the existing townscape and local views.

6.4.2 Policy HC1 of The London Plan 2021 requires development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. LP33 Policies LP3 Designated heritage assets, LP4 Non designated heritage assets, LP5 Strategic and local views and LP6 Archaeology require the Council to conserve designated and non-designated heritage assets (including their settings), protect the London View Management Framework (LVMF) and identified local views and make appropriate

arrangements for archaeology.

- 6.4.3 Section of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires development which affects a listed building or its setting to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” NPPF Paragraph 202 states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 6.4.4 Conservation
- 6.4.5 *Significance of Area and Buildings*
- 6.4.6 The building was erected in 1904 by A.W.S. Cross for Shoreditch Borough Council in an Edwardian Baroque style of soft red brick in English Bond, with Portland stone dressings, slate roofs. As originally constructed the building was complex and multi-function, with stratification by both gender and class. The main functions were swimming, going to public events, taking a bath and doing laundry.
- 6.4.7 There have been four main phases of change over the years. Between 1921 and 1922 changes were made to enable large events to take place in the pool hall in the winter months (boxing and dance bands were popular); this resulted in the replacement of two windows on the south elevation with entrance doors and steps. When built, the building was hemmed in by terraced housing to the immediate east and west on both the north and south elevations. In 1953, following war damage, these buildings were demolished, leaving some scars and poor repairs to the south west and south east elevations. At the north west corner of the site a new public laundry was provided in a red brick single storey extension with a saw tooth roof: this functioned like a public launderette, with modern machinery (as well as providing a plant room and delivery bay). More radical changes were made between 1961 and 1964 and the years following. The Men’s First Class Baths on the ground floor were removed and the space converted into a new entrance sequence, with a flight of steps beneath a canopy on the west elevation leading to a ticket hall in the south of the building. The original public laundry on the ground floor was converted into a mixed swimming changing area. The pool was altered, with new entrances to the pool deck, which was raised to deepen the pool. Foot baths and privacy screens were added, the gala seating removed and the balcony remodelled with a new railing. It is likely that the original coal fired basement plant was abandoned at about this time. Between 1985 and 1988 the building was modernised again, with new heating and air handling plant in part of the 1953 public laundry building and the replacement of the Second Class Men’s Baths with a gym, solarium and changing rooms. The pool was divided by a concrete boom to provide a separate children’s pool, with a new pool floor in that part.
- 6.4.8 The listing description outlines the historical significance of the building and the significance of the beautiful and elaborate exterior of the building very clearly. The interior of the building is now more mixed, with some areas of high significance, and others damaged by alteration. The pool hall still features the original pool and is a stunning volume with its striking coffered ceiling. The first floor Second Class Women’s Baths appears to have stayed in use until about 1985 and features a complete set of circa 1930s slipper baths and

cubicles, complete with benches and even some mirrors: this is an unusual survival. The first floor Board Room has been damaged but is capable of restoration to its original state. The ground floor entrance hall has been damaged but is also capable of being returned to its original elegant form. Another survivor is the complete set of 1904 water and air heating plant in the basement. This consists of a coal store, a stoker, three 28 foot long and 7 foot diameter Lancashire boilers with chain grate overfeed stokers, two Green's New Patent Improved Economisers (a type of heat exchanger which pre-heated the water), two water heaters and a workshop, with various smaller tools and loose plant items of various dates.

6.4.9 The building's significance is well understood. The Council provided its own Assessment of Significance (LBH, September 2015), (reviewed in draft and approved by Historic England) as part of the bidding process for the proposed lease disposal. This considered that the most significant elements were those relating to the building as designed in 1902 and opened in 1904; the alterations of 1922-3, 1953, 1961-4 and 1985-8 were considered to generally detract from significance. The applicants have made reference to this document and conducted more detailed archival research as part of their own heritage statement (Historic Building Report, Donald Insall Associates, August 2021). There is a high level of consensus over significance, except in relation to the basement plant area and its contents. The Council regards this as of high significance, the applicants as of only moderate significance.

6.4.10 *Demolition*

6.4.11 The demolition of the 1953 public laundry to the north west of the site is considered acceptable, since this part of the building is of no significance and detracts from the host historic building.

6.4.12 The demolition of the small area of the original building to the north east corner is considered acceptable. This was a weaker part of the original design and these elements were always secondary and of lower significance. This part of the building is in particularly poor condition, with structural issues and stands in the way of the provision of new elements which are fundamental to the success of the proposed scheme and which are best located here.

6.4.13 Other minor areas of demolition shown on the submitted plans are also considered to be acceptable. These changes are to areas of low significance and/or are justified by the needs of the proposed scheme.

6.4.14 The proposed demolition of the ground floor of the west side of the building (originally the public laundry and waiting room) and the first floor above (originally the Second Class Men's Baths) and the roof structure above (including the original water tank) is harmful since it involves the loss of surviving original fabric, including the building structure, the four rooflights and the rooftop water tank. However, these areas were always of lower status and have been repeatedly altered in 1961-4 and 1985-8, leaving little of their original character other than the features noted. It is also relevant that the first floor area and roof are in particularly poor condition, with serious structural issues. There is a small element of mitigation since a sample of panels from the roof top water tank will be displayed in the new office entrance foyer. This harm is considered to be less than substantial.

- 6.4.15 The proposed demolition of the basement plant room involves areas that are contaminated with loose asbestos dust and the plant, particularly the Lancashire boilers, may also contain asbestos as part of their fabric. Following extensive negotiations with the applicant and the submission of expert advice, officers consider that the retention of the basement and its plant in situ is neither practical or viable. As such, by way of mitigation, following an initial loose asbestos clean, the basement space and its plant will be subject to a high standard of historic building recording. During demolition the plant will be dismantled and the parts to be retained will be cleaned. Three elements of the plant, namely a portion of the front of one Lancashire boiler, a portion of the front of one water heater, the main pipework from one Green's Economiser and a sample of panels from the rooftop water tank would be retained and later relocated to the foyer of the new office building, where they will be permanently displayed together with historical interpretive panels. This matter is subject to a detailed proposed condition. Nine cast iron columns from the basement structure are also to be retained and reused within the new office building as further mitigation.
- 6.4.16 We note to members that there are unknowns and risks with this plan. The nature and extent of asbestos contamination cannot be known until a safe working environment is established and dismantling has begun. The physical condition of the plant elements is also poorly understood, since they have been in a dark, wet basement for many years. The process of dismantling, cleaning and reassembly may not be without issues which have the potential to frustrate the compromise proposed as mitigation. These unknowns are reflected in the submitted proposed drawings, which show the intended locations schematically.
- 6.4.17 *Restoration of the retained parts of the listed building*
- 6.4.18 One aim of the scheme is to sympathetically repair and restore the retained parts of the listed building. These works are welcomed, particularly the reinstatement of the roof lantern to the pool hall and the restoration of the gilded ship weathervane.
- 6.4.19 Access to some parts of the building is currently not possible (for example the roof). A Condition Survey has been submitted and though this is helpful, it is highly likely that more and different issues will be found with the condition of the building once thorough and safe access is available (for example, a full exterior scaffold with roof access and an interior scaffold of the pool hall) and a more detailed examination can be made. Conditions are therefore proposed allowing flexibility and requiring further details of the proposed works.
- 6.4.20 The First Floor Slipper Baths would be almost entirely retained without substantial changes. Two of the 19 cubicles and baths will be removed to provide a fire escape stair. The remaining cubicles and baths will be reused as flexible office working cubicles with fully reversible changes. This is an interesting and imaginative arrangement which is considered acceptable, subject to details of works in this area would be managed by the recommended condition.
- 6.4.21 Various works are proposed to the two main front staircases, the basement areas to provide a gym and yoga studio, the ground floor entrance hall and cafe to the front, the first floor Board Room, the second floor caretaker's flat and the roof. These works have been assessed by officers and it is considered that they are acceptable in conservation and design terms, subject to details to be managed by the proposed conditions.

6.4.22 The restoration of the retained parts of the building is a heritage benefit which weighs heavily in favour of the scheme as a public benefit. To ensure that this benefit is secured, further conditions are proposed relating to delivery of the benefit prior to occupation, a contract for the whole scheme, phasing, a conditions meeting, heritage supervision and retention of the architectural team.

6.4.23 Urban Design

6.4.24 *New Western Wing: Architecture, Height and Massing*

6.4.25 The proposed new office building within the western wing consists of a basement level, three above-ground storeys faced in brick, two further set-back storeys clad in pressed metal panels and a one storey roof extension also clad in pressed metal panels. The building therefore has six above ground storeys. This would provide space for co-working and private offices. This building would also include a new accessible entrance, stair/lift core and external terraces. The double height workspace entrance foyer would contain salvaged elements of the building's original plant.

6.4.26 The new office building has been designed with a contemporary aesthetic so it can be clearly read as a later addition, but with detailing and materials carefully considered to complement the design of the original facades. Red brick was selected for the basement to third floor, with a simple composition consisting of an accessible entrance at ground floor (inserted here to avoid substantial changes to the principal listed building elevation) and narrow groups of windows to light the offices, which would ensure that the secondary character of this elevation would be preserved. The parapet line of the third floor would run through with the retained bay at the south end of Swimmers Lane. The pressed metal cladding of the contemporary roof extension references the original slate roof of the host building and the historic water tank. This also helps to facilitate a legible contrast between the contemporary extension and the existing chimney. The new opening on the west elevation is considered to be well designed, with brick relief given to the entrance threshold, referencing the civic nature of the building and forming a high quality entrance to the office building.

6.4.27 The Hackney Society have made a number of criticisms of the proposed new western wing. They stated:

- *“We have concerns over the massive roof element and the presence of that new element on Laburnum Street in particular. The tall proportions of the windows appear to counter the attempt to be recessive. It is disappointing that further work hasn't been done to demonstrate this is the optimal massing given the significant concerns expressed over the dominance of the roof elements.”* Officers do not agree and consider the two storey metal clad element to the top of the building to be sufficiently recessive in material and scale and the windows in the element to be appropriate.
- *“The proportions of the new elevations are curious and the ratio of window to wall might be considered refreshing but only if the applicant gets the choice of brick right, and we don't think they have. The highly varied/textured brick is similar to every other new residential development in the area and fights with the existing building. A muted brick might ensure the addition sits apart and is very much second in command; as it needs to be understated and modest. But in any event this needs to be demonstrated through the exploration of*

design options.” Officers consider that a red brick is appropriate in relation to the host historic building. The brick choice will be subject to condition.

- *“In any event the proportions lead to uncomfortable indoor spaces - for instance the cill levels internally seem too high. We had hoped to see further exploration of the options in this regard as the result seems sub-optimal.”* Officers consider the cill heights to be appropriate, since this is an office use and a higher cill prevents viewing users’ legs and office clutter through the lower parts of windows.
- *“Although the main hall is designated as being available for a variety of uses its flexibility is limited by the serviceability and accessibility of the space through the narrow heritage frontage.”* Officers do not agree: the new building provides an ample and accessible entrance which flows through into the pool hall. The historic south entrances will be brought back into use and are capable of being used; it is not possible to move the building to the north (it was accidentally built slightly too far south in 1904, hence the narrow pavement).

6.4.28 The height and massing of the new western wing is considered to cause less than substantial harm to the significance of the listed building.

6.4.29 We consider that the greatly recessed 6th floor would not be visible in relevant local views (see pages 51, 53, 54 and 55 of the Design and Access Statement) and is visible but not obtrusive in views from further away (see pages 56, 63 and 64 (Views 01 to 08). Officers consider that these views do not show any visual harm to the setting of the listed building or the Regent’s Canal Conservation Area, the Hackney Road Conservation Area and the Kingsland Conservation Area.

6.4.30 Despite the low level of visibility of the sixth floor, officers consider that the new building is slightly too tall for its context. It is insufficiently subsidiary to the host historic building since it slightly challenges the building in its visual relationship with the retained chimney and the ridge line of the pool hall and front block. This is in line with the objection expressed by the Victorian Society in their consultation response letter of 23rd November 2021.

6.4.31 However, officers consider the harm caused to be less than substantial and able to be justified by the public benefits of the scheme, including the restoration of the retained parts of the listed building. It is notable that the submitted Financial Viability Assessment demonstrates that the scheme is not viable without the additional sixth floor.

6.4.32 It is considered that the proposed western wing provides a positive new element with its own contemporary identity and yet relates sensitively to the unusual context. The applicants were encouraged to pursue a “one building” approach so that the new building is fully integrated in terms of access and flow into the listed building. The result is a simple building which is muted in manner while responding to the context. The proposed new double height entrance in Swimmers Lane provides a positive and striking feature to the west elevation. The choice of red brick responds to the host building and the use of grey metal to upper floors is a reference to the historic water tank. The rhythm of fenestration is calm and provides a muted foil to the retained chimney. Junctions with the listed building are inset to provide a shadow gap, distinguishing old and new work.

6.4.33 For these reasons, the new western wing is considered overall to be of a high quality design, subject to the proposed conditions to address detailed matters such as the external material choices, the junctions with the listed building, the roof plant and signage.

6.4.34 *Pool pavilion*

6.4.35 A two storey insertion into the original swimming pool is proposed. This consists of a metal frame clad in mirror glass, with walkways to the retained pool balcony at mezzanine level. This element will be accessed by new timber auditorium seating/steps which go down into the shallow end of the pool. The intention is that this element, which provides a flexible meeting space at lower level and a restaurant at upper level, would sit on expanded foam formers within the historic pool and is, at least in theory, reversible. Retained pool edges would require glazed screens to prevent falling. As such, any harm to the historic fabric (subject to further detail to be provided by condition) appears to be limited. The 1985-8 boom separating the main and learner pools and the learner pool raised floor would be demolished, which is an enhancement, and users would have an experience of climbing down into a historic pool, albeit without water. Nevertheless, less than substantial harm is caused by the addition of a substantial built volume within the pool hall, which takes up about two thirds of the length of the pool.

6.4.36 *Urban Design Summary*

6.4.37 The new additions to the building are considered to cause less than significant harm to the listed building and this is considered to be outweighed by the public benefit of the repair and bringing into use of this building on the Heritage at Risk register.

Landscaping

6.3.38 The existing and proposed building takes up most of the plot within the red line boundary and so the landscaping proposed is limited to the western side of the building along Swimmers Lane. It would involve construction of a lightwell bordered by planting, the replacement of asphalt with natural stone paving and the provision of short stay cycle parking. The proposal is considered acceptable in this regard and details of landscaping materials and planting will be provided at the next stage, by way of the recommended condition.

6.4.39 For these reasons, subject to the future submission and approval of suitable details, it is considered that the architecture of the proposal would achieve an acceptable standard of design and would achieve the design aspirations of policies 7.4, 7.6, 7.8 of the London Plan, policies 24 and 25 of the Hackney Core Strategy and policy DM1 of the Hackney Development Management Local Plan.

6.4.41 Landscaping

6.4.42 The general layout of the landscaping is considered acceptable, functioning as shared space for the commercial and residential elements of the scheme within a central courtyard. It would also provide planting and defensible space in front of the proposed residential windows. The details of the design, including the proposed lighting scheme, have not been submitted and so conditions have been recommended in this regard.

6.4.43 Signage and External Lighting

6.4.44 The signage proposed, including to the chimney, is not fully detailed but is considered acceptable in principle. This aspect, along with proposals for the external lighting of the public realm would be subject to the recommended conditions requiring further details.

6.4.45 Urban Design, Conservation and Heritage Impacts Conclusions

6.4.46 Subject to the recommended details, it is considered that the proposal would achieve an acceptable standard of design that would enhance the townscape and the setting of neighbouring conservation areas and thereby achieve the design aspirations of local and regional policy. Less than substantial harm is caused to the listed building and this is considered to be balanced acceptably against the public benefit of its reuse and restoration, in line with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.5 Impact to Amenity

6.5.1 London Plan policy D3 states that development should have regard to the form, character and function of an area and the scale, mass and orientation of surrounding buildings. Local plan policy LP2 states that all new development must be appropriate to its location and should be designed to ensure there are no significant adverse impacts on the amenity of occupiers and neighbours. Local Plan policy LP25 states that new employment space outside of the Priority Office/Industrial Areas or Town Centre locations will be permitted where it does not have an unacceptable impact on residential amenity.

6.5.2 *Daylight/Sunlight impacts.*

6.5.3 With regards to daylight, the Vertical Sky Component (VSC) method has been used to measure the amount of skylight reaching windows of neighbouring properties. BRE guidelines in their "Site Layout Planning for Daylight and Sunlight" document of 2011 state that impacts upon daylight of an existing building will be noticeable if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. % reductions in VSC of 30% or more can be considered to result in significant noticeable impacts, whereas reductions in daylight marginally above the 20% threshold will be more minor.

6.5.4 VSC is the most suitable method of assessment to understand the degree of change to windows of neighbouring properties resulting from the development. The daylight sunlight assessment also refers to two further methods of assessment. The No Sky Line (NSL) method involves plotting the NSL in affected rooms (when layout of affected properties is known), to understand the proportion of the room, where views of the sky would be visible.

6.5.5 A third method of assessing daylight is the Average Daylight Factor (ADF), which involves a detailed calculation of the amount of sky visible at each of the windows serving the room, taking into account a range of factors including window and room sizes. ADF is most appropriately used to assess the levels of daylight within proposed buildings, although ADF

can on occasion be used to assess impacts on adjacent developments where these are consented but not yet occupied.

- 6.5.6 With regards to sunlight, the Annual Probable Sunlight Hours (APSH) method has been used to assess the amount of sunlight available within a room. BRE guidelines are for rooms to receive 25% of Annual Probable Sunlight Hours (APSH) in total, including 5% in winter.
- 6.5.7 It should be noted that BRE guidance is applied with regard to the site context. Factors such as the layout and orientation of adjacent buildings, and the amount of existing development upon an application site can all have significant impacts upon the daylight sunlight assessment. As such in dense inner urban locations, it may not be possible to achieve BRE target criteria if development is to take place at a similar scale as others in the surrounding area.
- 6.5.8 The impact to the daylight and sunlight of the properties to the north of the site, including Columbia Wharf, Brunswick Wharf and 61-82 Kent Wharf is considered acceptable. Of these properties, Columbia Wharf and Brunswick Wharf only have commercial windows directly facing the site. 61-82 Kent Wharf is in residential use but is set away from the main increases proposed to the massing and would not be significantly affected by the development.
- 6.5.9 To the south and east the windows of Mansfield Court and Queensbridge Court respectively are sufficiently distant that only a marginal impact to VSC, NSL or APSH would occur. Centre 151 and its gardens, adjacent to the east of the proposal, are in use as a community centre and so have not been tested by the submitted Daylight/Sunlight study. The impact to the centre and gardens is considered to be acceptable, given the scale and positioning of the proposed development.
- 6.5.10 London Mill Apartments and Basin Mill apartments directly face the proposed 6 storey office accommodation across Swimmers Lane and are single aspect. The submitted daylight/sunlight report shows that both the VSC and NSL of windows and rooms within these blocks would be significantly affected. However, the submitted figures also show that much of the impact of the proposed development is caused by the balconies of those properties. In line with BRE guidelines a separate set of data has been produced to show the impact of the proposal without the existing balcony obstructions. In each case, the retained absolute level of VSC would be no lower than the mid-teens, even at ground floor level. Impacts to NSL, though significant, would still allow good levels of daylight, appropriate to the wider urban grain of this inner London location.
- 6.5.11 Facing residential windows to London Mill Apartments and Basin Mill apartments are not within 90 degrees of south and so would not experience an unacceptable impact to their levels of sunlight.
- 6.5.12 In addition, it is noted that the proposed office element generally mirrors the height of the five storey blocks of London Mill apartments and Basin Mill apartments, in a manner considered to be acceptable by BRE guidance. The proposal would be marginally taller to its 5th storey (1.0m taller) but is also set back by 2.0m at the 4th and 5th storeys. The

proposed 6th storey is so set back from the main Swimmers Lane elevation (by 7.4m) that it would have only a marginal impact on the daylight and sunlight experienced at either apartment block. It is noted that these existing apartment blocks have defensible space in front of their ground floor windows that marginally exceeds the setback from the red line boundary at the proposal site. Nevertheless, it is considered that the general purpose of this 'mirroring' test is still met, since it shows the proposal sits well within the existing urban grain and has a daylight/sunlight impact that is to be expected of development in this location.

6.5.13 *Overshadowing of Amenity Spaces*

6.5.14 The report shows an overshadowing analysis of the neighbouring amenity spaces at ground floor level of Basin Mill and London Mill Apartments. The results show that the existing spaces are heavily overshadowed in the existing condition and none receive the BRE recommended two hours of sunlight over half their area at midday on the 21st March (the equinox). The report assesses the additional overshadowing caused by the development on the equinox and shows it to be marginal.

6.5.15 In line with the assessment above, the scale of the proposed development is considered to be similar to that of surrounding development. At times of year when the sun is higher in the sky it may be that the additional storeys of the extension have more of an impact on overshadowing. Nevertheless, the north-south orientation of the street ensures the spaces will receive sunlight for a period of each day and it is noted that the overshadowing of the spaces in the evening will be as a result of the similarly-sized existing bulk of the apartment buildings, rather than the proposed development.

6.5.16 There is a second floor roof terrace at Hoxton Docks (55 Laburnum Street), which is sufficiently elevated and distant from the proposal that any overshadowing would not be significant. The impact of overshadowing of the elevated balconies of London Mill and Basin Mill Apartments are considered to be within acceptable bounds, in line with the above assessment of the ground floor amenity space.

Summary

6.5.17 The impacts to the daylight and sunlight of surrounding properties and amenity spaces are considered to be acceptable. The most affected buildings are those of Basin Mill apartments and London Mill apartments and in both these cases, the impacts are exacerbated by their existing balconies. Windows that are not under balconies retain good levels of daylighting even at ground floor level. The 'mirror test' shows the development is of a similar height and massing to London Mill and Basin Mill apartments opposite, showing that it fits well within the existing urban grain. The proposed development is deemed acceptable with regard to its daylight sunlight impact and is deemed to meet the requirements of London Plan policy D3 and Local plan policies LP2 and LP25.

6.5.18 Outlook / Sense of Enclosure

6.5.19 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.

- 6.5.20 Owing to the scale and positioning of the proposed extensions to the existing building, the impact of the development on the outlook and sense of enclosure experienced by neighbouring residents is considered to be acceptable. As above, the closest residential properties are those of London Mill and Basin Mill apartment blocks. Here, in comparison to the existing development, the extensions would be experienced as two storeys set back from the existing wall by 1.9m, with a third storey so set back as to have only a marginal effect (7m). Given the scale of the existing building and the 15m-17m distance between the existing properties and the extensions, the impact of the proposal on the outlook and sense of enclosure of these properties is considered to be acceptable.
- 6.5.21 It is noted that the existing wall at the north west corner of the Haggerston Baths building has a sawtooth roof, which means that the proposal would also build up this wall to a consistent height with the rest of the proposed west elevation. However this is also the part of the building at the greatest distance from the residences across Swimmers Lane. The impact here is also considered to be acceptable.
- 6.5.22 As such, the proposed development is deemed acceptable in terms of its impact on prospective outlook and sense of enclosure and to meet the expectations of London Plan policy D3 and Local Plan policies LP2 and LP25.
- 6.5.23 Privacy and Overlooking
- 6.5.24 A number of objections have been received in relation to overlooking from the proposal to neighbouring residential properties, particularly those to the west of the site.
- 6.5.25 The distance between proposed windows and the London Mill and Basin Mill apartment buildings across Swimmers Lane varies from just over 13m to 15m. It is noted that there are existing window spaces in the Swimmers Lane elevation of the baths but that these are boarded up. It is considered that a 13m distance, over an existing publicly accessible road is sufficient to ensure that any impact from overlooking would not be so significant as to warrant refusal of the application. The proposed windows serve the office spaces and so would typically be expected to be used at somewhat different times from the residential units opposite, though it is noted that the increase in home working currently anticipated renders this consideration less significant.
- 6.5.26 Distances between proposed windows and other neighbouring residential buildings are greater. As such, the proposed development is deemed acceptable in terms of prospective outlook, privacy and overlooking and to meet the expectations of London Plan policy D3 and Local Plan policies LP2 and LP25.
- 6.5.27 Construction Impacts
- 6.5.28 In terms of the construction activity, the short-term nature of the proposed works and ambit of temporary impacts are rarely so significant that planning permission should be refused. In addition, the working hours of construction activity are controlled by separate legislation to which the applicant's contractors would need to comply. In addition to the considerate

constructors' code of conduct required by the legal agreement, a construction management and logistics plan would be required by condition to ensure that the construction programme does not have an unacceptable impact on the amenities of neighbouring occupiers or on the highway network.

6.5.29 Noise

6.5.30 The existing, albeit, discontinued pool hall use would be associated with a number of impacts in relation to noise and while the building has been silent for many years, it is recognised that this is a public building that would have been well used for the majority of its life.

6.5.31 Nevertheless, the envisaged use of the main hall as a multi-use community hall and event space has the potential to cause noise nuisance to neighbours. As such, Hackney's Environmental Protection Team have recommended a number of conditions in relation to the use of the main hall and the other uses of the site. These include restricted hours of use, acoustic shielding to plant, details of external lighting and the stipulation that doors and windows are not left open.

6.5.32 An operational management plan has been recommended, to involve sound limiters on amplified noise and external measures such as patron dispersal at the end of events. Conditions are included requiring that noise spillage from events within the main hall is kept below background noise levels at the neighbouring premises. A similar condition is recommended in relation to plant noise.

6.5.33 These conditions are recommended below and an additional condition has been recommended to limit the hours of use of the external terrace for the office use to 08:00-18:00 on Monday to Friday.

6.5.34 Subject to the recommended conditions, the proposal is considered acceptable in this regard.

6.5.35 Conclusion on Amenity Impacts

6.5.36 On balance, the proposal is not anticipated to detract unduly from the amenity of neighbouring occupiers and would thereby comply with the relevant local and regional policies in respect of neighbouring amenity.

6.6 Transportation

6.6.1 Site Context

6.6.2 The site previously functioned as a public baths complex and is currently disused. It fronts Whiston Road to the south, Laburnum Street to the north, a community centre and residential properties to the east and Swimmers Lane to the west. Whiston Road and Laburnum Road are two way streets. Swimmers lane forms a pedestrian/cyclist route along the western boundary of the site and access for vehicles is restricted by the presence of bollards. The roads surrounding the site are within a Controlled Parking Zone (CPZ). A

number of car clubs operate close to the site.

- 6.6.3 The site has a Public Transport Accessibility Level (PTAL) of 5. A Healthy Streets Assessment has been carried out and concludes that the proposed development would be beneficial to the pedestrian environment. Bus stops are located within 50/65 metres from the site. Overall 8 bus routes operate in the vicinity of the site. TfL's Local Cycle Guide 14 indicates that there is a good network of cycle ways in the local area. Haggerston Station is 600 metres from the site and Hoxton Station is approximately 700 metres from the site.
- 6.6.4 Traffic Impact / Trip Generation
- 6.6.5 The submitted trip generation assessment predicts that the site will see a significant increase in the quantum of the development and net increase in two-way trips. As such, the proposal could have a significant impact on the local transport network and public highway and mitigation measures are required to reduce the impact on the transport network and ensure that the great majority of trips are made by active and sustainable transport modes.
- 6.6.6 Servicing
- 6.6.7 Objections to the scheme state that pedestrian use of Swimmers Lane may be impeded by delivery drivers taking a shortcut past the bollards to the office entrance on Swimmers Lane. However, this is not the entrance that would be used. A Delivery and Servicing Plan has been produced, which shows delivery, servicing and refuse collection would be carried out from the servicing will be undertaken from Laburnum Street, onto which a Back-of-House (BoH) goods entrance is provided, which allows service / delivery personnel direct access to the Development.
- 6.6.8 12 trips (one way) are predicted per day, for all the uses excluding the community use, for which insufficient information has been made available. This is likely to have a negative impact on the public highway. Deliveries are likely to be carried out in light goods vehicles and smaller rigid lorries with a weight no greater than 7.5T but it is predicted that larger delivery vehicles may sometimes be required for some of the events in the main hall. The height of the rail bridge (4.3m) located to the west of the site on Laburnum Street is sufficient for the majority of larger delivery vehicles (a standard 10m rigid vehicle measures 3.65m in height). However, in the event a vehicle is too tall to navigate the bridge, a swept path analysis has been provided to show that a 3-point turn at Haggerston Road is feasible.
- 6.6.9 As presented, the details are considered acceptable. However, given that there is not yet any data available for the delivery and servicing requirements of the community use, a full delivery and servicing Plan (DSP) is recommended to be conditioned. Details of any larger lorry deliveries will be required by the condition. Deliveries that can be managed would be avoided during the peak morning and afternoon hours of 0800-1000 and 1600 to 1800 on weekdays, as part of the DSP.
- 6.6.10 Car Parking
- 6.6.11 The scheme is proposed to be car-free which is supported by the London Plan. LP33 policy LP45 requires that, to reduce car usage and promote active travel, all new developments in

the borough must be car-free.

- 6.6.12 A clause in the proposed legal agreement therefore provides a CPZ exclusion to restrict parking permits for all users of the proposed site (except those with a blue badge).
- 6.6.13 The submitted Transport Statement proposes that 2 Blue Badge parking bays will be provided on the public highway within 50 metres of the site, prior to occupation. This is a recommended clause within the legal agreement and is considered acceptable.
- 6.6.14 Cycle Parking
- 6.6.15 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.
- 6.6.16 The current cycle parking proposal provides 114 cycle parking spaces. These consist of 86 long-stay spaces and 28 short-stay spaces. The long-stay cycle parking includes: 8 x Sheffield stands (16 spaces) 1 x accessible stand (2 spaces) 22 x two-tier stands (44 spaces) and 24 x foldable bike lockers. For the visitor cycle parking, 14 x Sheffield stands are proposed to provide 28 spaces.
- 6.6.17 The cycle parking proposal provides 114 cycle parking spaces. These consist of 86 long-stay spaces and 28 short-stay spaces. The long-stay cycle parking includes: 8 x Sheffield stands (16 spaces) 1 x accessible stand (2 spaces) 22 x two-tier stands (44 spaces) and 24 x foldable bike lockers. For the visitor cycle parking, 17 x Sheffield stands are proposed to provide 36 spaces.
- 6.6.18 The proposed cycle parking is 21 spaces below Hackney's cycle parking standards and the proposal includes a relatively high number of folding cycle lockers. Nevertheless, the Council acknowledges the constraints of the listed building and it has not been possible to increase the quantum of cycle parking within the internal cycle store. Six additional Sheffield stand spaces have been agreed within the red line boundary on Swimmers Lane during the course of the application. In addition, to offset the level of underprovision, an additional 30 cycle parking spaces have been agreed and will be provided externally in converted parking bays on Laburnum Street and Whiston Road at an estimated cost of £13,500, contained within the proposed legal agreement. These spaces will be provided as Sheffield stands. This increases the overall number of cycle parking spaces to 150 in total across the development. This is above the required number of spaces outlined in Hackney's standards.
- 6.6.19 A full Travel Plan will be required on occupation of the development (see below). This is particularly important owing to the relatively high number of folding cycle lockers. The occupier would ensure that the travel plan facilitates the uptake and ownership of folding cycles where possible and this would be evidenced within the Travel Plan. The Cycle Parking facilities would also thereby be regularly monitored to ensure that they are suitable for all users and a range of cycles.
- 6.6.20 Since the space available for cycle parking is considered acceptable for this mix of uses,

and further details are recommended by way of condition and the Travel Plan within the proposed legal agreement, the proposal is considered acceptable with regard to cycle parking.

6.6.21 Travel Plan

6.6.22 A travel plan aims to promote sustainable travel choices (for example, cycling) as an alternative to single occupancy car journeys that may impact negatively on the environment, congestion and road safety. A Framework Travel Plan (FTP) has been submitted as part of the application. A full Travel Plan will be required to be produced and implemented on occupation of the development. This would be secured through the legal agreement, inclusive of a £5,000 contribution towards the monitoring of the Travel Plan.

6.6.23 Urban Realm & S278

6.6.24 The NPPF Paragraph 61 highlights the importance of connections between people and places and the integration of new development into the built environment. In accordance with Local Plan policies PP6 (Public Realm), LP41 (Liveable Neighbourhoods), LP42(Walking and Cycling), LP43 (Transport and Development) and LP44 (Public Transport and Infrastructure) all developments are expected to integrate the proposed development into the public realm and or provide contributions to urban realm improvements in the vicinity of the site.

6.6.25 As such, S278 highway works have been secured via the proposed legal agreement, to reconstruct the footway on Laburnum Street, between Swimmers Lane and Queensbridge Road, using concrete paving slabs and new concrete kerbs. The vehicle crossover in front of the garages will be reconstructed using block paving. Four trees will be planted on the footway near the development. The estimated cost of these works is £46,681.59 and the scope of the works is considered acceptable.

6.6.26 Demolition and Construction Management

6.6.27 Given the nature of the proposed development, which is adjacent to residential buildings and involves sensitive works to the listed building, a demolition and construction plan is recommended via condition to mitigate negative impact on neighbours and the surrounding highway network.

6.6.28 Conclusions

6.6.29 The proposal is considered acceptable, subject to the provision of conditions in relation to a Delivery and Servicing Plan, cycle parking spaces, a Construction Management Plan, along with legal agreement Heads of Terms in relation to the removal of parking permits, a Travel Plan, two on-street blue badge spaces and the charge for the relevant highways works.

6.7 Sustainability

6.7.1 London Plan policy SI 2 (Reducing waste and supporting the circular economy) and LP33 policy LP55 (Mitigating Climate Change) state major development proposals should be net

zero-carbon. The constraints of the listed building, which includes a large hall with heritage roof, are noted. Nevertheless, the western wing of the building, which would be largely replaced, offers an opportunity to increase the sustainability of the building and the applicant has aspired to a 'Very Good' BREEAM rating.

- 6.7.2 The reuse and repair of this existing building is in line with policy SI 7 (Reducing waste and supporting the circular economy) of the London Plan. Nevertheless, a pre-commencement condition has been recommended requiring details to demonstrate that the specifics of the development involve resource efficiency and reuse, as required by the circular economy hierarchy.
- 6.7.3 The applicant has set out within the energy assessment how the development will aim to achieve the BREEAM 'Very Good' rating. The applicant is proposing a range of energy efficiency measures, including Air Source Heat Pumps to achieve a 37% reduction in baseline carbon emissions. A range of conditions relating to air quality neutral assessment, green roof details and a post completion BREEAM 'Very Good' certificate are proposed. A further condition recommends that any insulation and refrigerant materials must have a low or zero Global Warming Potential (GWP) and Zero Ozone Depleting Potential (ODP). The shortfall in carbon reductions would require a carbon offset payment of £350,550.00, based on £95 per tonne, which would be sought through the legal agreement.
- 6.7.4 The application is therefore considered to be acceptable on sustainability grounds, subject to the aforementioned conditions and legal agreement.

6.8 Waste Storage and Collection

- 6.8.1 The constraints of the Listed Building in respect of the space available for waste/recycling storage areas are noted. The Council's Waste Officer has reviewed the proposal and raises no objection to the location or capacity of waste storage provided, given that the submission allows for daily collections. As such, the proposal is considered to provide suitable waste and collection servicing arrangements.

6.9 Biodiversity

- 6.9.1 London Plan Policy G7 (Biodiversity and access to nature), along with Local Plan 2033 policy LP47 (Biodiversity and Sites of Importance of Nature Conservation) state proposals should contribute to urban greening and increase biodiversity. Given the nature of the existing building, which fills its entire plot, the opportunities for greening the development are limited and an Urban Greening Factor of 0.09 is proposed. Nevertheless, an extensive green roof is proposed above the extended western wing of the building, with specific details to be secured by condition. A further condition is recommended in relation to the inclusion of bird and bat boxes or bricks on the extension. The proposal would not have any impact on neighbouring trees.
- 6.9.2 The development is therefore deemed to meet London Plan policy G7 and Local Plan 2033 policy LP47.

6.10 Fire Strategy

6.10.1 The drawings in the submitted Fire strategy are not technical drawings to the standard expected, so a full assessment can not be made. The applicants are reworking the fire strategy and expect to have this available for review prior to the addendum to the Committee Report, at which point an additional condition would be necessary to require compliance with the submission and to require any further details that are appropriate for post-decision submissions. We note in advance that Listed Buildings do create constraints in this regard and the Heritage Officer will also be involved in this discussion, prior to the committee date. In advance of these further submissions, the principle of the development in respect of fire safety, is considered acceptable, since there do not appear to be any aspects that cannot be worked through satisfactorily if the correct approach is taken.

6.11 Consultee Responses

The following consultee responses raise issues that have not been covered in the report above:

- Impact of light pollution from proposed offices;
Officer's Response: There is no reason to think that offices are likely to be lighter at night than residential dwellings and nor is the distance between the proposal site and neighbouring residential buildings so close as to suggest light spillage into neighbouring residential windows would be untypical for this urban setting.
- Little benefit to the local community. There are already 3 community facilities in the neighbouring streets who provide such space for hire for classes and events (151 Centre, Kingsland Road and Thurtle Road);
Officer's Response: It is considered that there would not be an oversupply of community space as a result of this application, given the large local population in the surrounds.
- Main hall would be used for private functions;
Officer's Response: An Operational Management Plan has been required by condition, outlining a requirement for a good level of public access to the pool hall, notwithstanding that some ticketed events will also take place. This arrangement is considered acceptable, subject to the condition, which requires further details of the proposals in this regard.
- Castleforge's community involvement process involved leading questions and a non-functioning website;
Officer's Response: While there is no planning requirement for pre-consultation involvement with the local community, a main aim of the process is to gather local knowledge so that an application will stand a better chance of success. As such, any deficiencies in the process would be to the detriment of the applicants but would not be a reason to refuse the application, which involves an entirely separate consultation.
- New Swimmers Lane office entrance is too close to existing housing, which also utilises the lane as a community space enjoyed by children;

Officer's Response: When the existing western wing to the baths was redeveloped post-war, the main entrance to the building was located on Swimmers Lane and this remains the entrance that would be used if the building was simply repaired and reused. Indeed, though Swimmers Lane was subsequently identified as a landscaped amenity space when London Mill and Basin Mill Apartments were approved (Planning Permission Ref: 2009/0186), it was amended via a Non-Material Amendment Application (Ref: 2011/1150) when the Planning Officer's Delegated Report to that NMA outlined that "The original approved drawings indicated that this would be a landscaped area to include pedestrian/cycle connection between Whiston Road (to the south) and Laburnum Street (to the north), access to residential units to the west of Block G and soft and hard landscaping. Subsequently discussions have progressed regarding the redevelopment of Haggerston Baths and for this to potentially include an access route from the same area of the site. To allow this to be potentially facilitated the treatment and landscaping of this area has been revised...The east side of the area is proposed to be treated in macadam and so as not to prevent the provision of future access to Haggerston Baths." As such, the use of Swimmers Lane in the manner proposed is in line with the approval of the residential dwellings and their existence would not give a reason to refuse the application.

- Swimmers Lane will become a default smoking area for office workers;
Officer's Response: While it is correct that, as a public street, smokers could use Swimmers Lane, it is considered likely that standard office management arrangements would ensure that door staff on Swimmers Lane asked smokers to move to the wider streets to south and or north, away from the office entrance. It is considered unnecessary to add any planning controls in this regard.
- The estimated noise levels are unrealistically low. For example 40 decibels is the noise level considered to be the equivalent of 'a quiet library' and yet the noise report's highest estimated level is 36 decibels on Swimmers Lane where the main entrance will be;
Officer's Response: The findings of the noise report are not questioned but the proposed conditions, which require events and plant noise to be 10dB below background noise levels at neighbouring residential premises, do not rely on the testing of the report, except that the proposed conditions have been found reasonable by the Borough's Environmental Protection team. The relatively quiet location and the surrounding residential premises are recognised in the assessment made prior to the wording of the conditions.
- The plans remove the existing 20 cycle spaces on Swimmers Lane and replace them with 28 only adding an additional 8 cycle parking spaces for public users of the building, office visitors and short stay parking for the offices. Instead of bike racks on Swimmers Lane, the Council should widen Whiston Road and put the bike racks there

Officer's Response: Following negotiations with the Borough, a payment towards Highways Works to provide cycle parking within two existing parking bays (Whiston Road and Laburnum Street) has been agreed with the applicant. This is in addition to the sheffield stands proposed within the red line boundary, on Swimmers Lane.

- Impact of the construction phase on local residents;
Officer's Response: Controls outside of the planning system exist to ensure that disturbance from construction work is minimised. It is not considered that there are any constraints at or surrounding the site which would make the area particularly sensitive to disturbance from construction work and therefore justify further consideration. As such it is not considered that disturbance from construction work would justify the refusal of the application. Similarly, the proposed Construction Management Plan condition is designed to ensure that the impact of construction traffic is mitigated throughout that temporary period.
- There is no need for office development following the Covid outbreak and no need for office development in this location;
Officer's Response: The need for office development in Hackney is accepted in the recent Local Plan 2033, which is the relevant document for decision making. Nevertheless, it is accepted that the impact of Covid on future office developments remains unpredictable and that developers will cease coming forward with proposals if they do not feel they would find tenants.
- Danger to local residents from asbestos in the demolition process;
Officer's Response: Any asbestos removal will be carried out by specialist contractors bound by separate legislation to ensure the removal is carried out safely.
- The submitted plan is higher than was shown in the original public consultation, prior to the first planning application;
Officer's Response: The planning application must be considered on its own merits. Any pre-planning consultation, competition or public engagement processes carried out by the Council and Castleforge are a matter for their own discretion, rather than forming a reason for refusal of this application.
- The energy statement says there is going to be PV panels on the roof, but these are not shown on the drawings;
Officer's Response: The submitted energy statement actually clarifies that PV panels are not proposed at this time but may be proposed later when the feasibility of their installation on the roof is fully considered. As such, the agreed carbon offset figure does not suppose the installation of PV panels and nor is it considered that they should be required, given the proposed biodiverse roof and the constraints of the listed building.
- The swimming pool should remain a swimming pool. A sauna and steam room should be added;
Officer's Response: The building is both listed and at risk from further deterioration in its condition. No funding has become available for the refurbishment of the building as a swimming pool and nor have any companies come forward that wish to refurbish and run the building as a swimming pool. As such, a Mayoral decision was taken, as part of the

bidding process, that swimming cannot viably be reprovided. This application has been considered on its own merits, as per the assessment above.

- There should be a curfew on all noise from people outside the building at 7pm on weekdays and 10pm on the weekend.

Officer's Response: A condition has been added in respect of the hours of use of the external terraces to the office development. In respect of the users of the main hall and ancillary spaces, an Operational Management Plan has been required by condition, which would contain details of patron dispersal after events.

6.12 Community Infrastructure Levy

6.12.1 The development would be liable for Mayoral CIL 2 (£60 per sqm of all floorspace) and Hackney Zone A CIL (nil charge for the proposed uses). The existing floorspace at the site has not been occupied for any of the last thirty six months and so is not discounted from the calculations.

6.12.2 Mayoral CIL 2: $7215\text{m}^2 \times £60 = £432,900$

6.12.3 This total of £432,900.00 is subject to indexation and may be revised at the point of implementation.

7. CONCLUSION

7.1 The proposal, on balance, is considered to successfully optimise the use of the site and bring back into repair an at risk Listed Building whilst taking into account the character and appearance of the surrounding area, the amenities of neighbouring occupiers and residents, and taking into account all other relevant considerations. The scheme is considered to represent a high quality development that delivers an uplift in employment space and a vibrant mix of uses.

7.2 The proposal, on balance, is deemed to comply with pertinent policies in the Hackney Local Plan (2020), London Plan (2021) and NPPF for the reasons set out above. Accordingly, the granting of full planning permission is recommended, subject to conditions and the completion of a legal agreement.

8. RECOMMENDATIONS

Recommendation A (Full Planning application 2021/2491)

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

8.1.1 SCB0 – Development in accordance with plans

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

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

8.1.2 SCB1 – Commencement within three years

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

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

8.1.3 Phasing: contract for the whole scheme

No works of alteration by way of substantial partial demolition shall begin before evidence has been submitted to, and approved in writing by, the Local Planning Authority, of a binding contract or a set of clearly inter-linked binding contracts for the full implementation of the comprehensive scheme of development (and the associated planning permission for which the contract(s) provides).

REASON: To ensure that premature demolition does not take place and that an unsightly gap or derelict site does not detract from the character and appearance of the retained parts of the listed building and in accordance with Section 17 (3) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.4 Phasing: demolition as part of single phase for whole development

The demolition works hereby permitted shall not be carried out otherwise than as part of the completion of development for which planning permission 2021/2491 was resolved to be granted on 2nd February 2022 and such demolition and development shall be carried out without interruption and in complete accordance with the plans referred to in this consent and any subsequent approval of details.

REASON: To ensure that premature demolition does not take place without securing the public benefits and that an unsightly gap or derelict site does not detract from the character and appearance of the area and in accordance with Section 17 (3) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage

Assets.

8.1.5 Phasing: listed building works first

Following completion of the works of repair and refurbishment to the retained parts of the listed building at Haggerston Baths, a formal application shall be made, in writing to the Local Planning Authority, to discharge this condition, demonstrating that the works have been completed in accordance with the approved plans and documents (works resolved to be granted Planning Permission and Listed Building Consent as part of applications 2021/2491 PP and 2021/2495 LBC on 2nd February 2022). The hereby approved new build office and workspace development shall not be occupied until this condition has been discharged.

REASON: To ensure that the public benefits of the repair and refurbishment of the listed building are secured and in accordance with Section 17 (3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.6 Details of materials

Full details, including physical samples, of all the materials to be used on the external surfaces of the proposed buildings, including the following:

- A. The materials to be used on the external surfaces of the new buildings to the west and to the north east of the retained listed building (including, but not limited to the pressed metal cladding panels, brick, stone coping, metal window sills, metal railing set back from parapet edge and the metal railing on the lightwell wall);
- B. The new materials to be used on the external surfaces of the retained parts of the listed building, (including, but not limited to, the bricks for the west facade repair and any repair bricks).

The details shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure good design and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in conformity with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.7 Design details to be approved

Detailed drawings and full particulars of the following for the proposed new buildings to the west and to the north east of the retained listed building shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the development commences. The development shall not be carried out otherwise than in accordance with

the details thus approved:

- A. Details of window reveals in the form of 1:20 vertical and horizontal section drawings;
- B. Details of the brickwork bonds;
- C. Details of windows, the glazed entrance screen, entrance and other doors, the basement UKPN substation louvred doors and architectural metalwork (including the high level railings and the front area railings to Swimmers' Lane) in the form of suitably scaled drawings showing the materials, design and dimensions;
- D. Details of the proposed rooftop plant in the form of a plan and elevations, together with manufacturer's images (with dimensions) of the plant;
- E. Details of the proposed signage to the retained listed building, the new development and the chimney;
- F. Details of the proposed recycling, waste and cycle storage areas.

REASON: To ensure good design and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in conformity with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.8 Punctuations in walls and roofs

No additional punctuations in the external walls and roofs shall be permitted other than as shown on the drawings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.9 No extraneous pipework or equipment

No soil stacks, soil vent pipes, plumbing, pipes, kitchen or other flues, kitchen or other vents or ductwork shall be fixed on the external faces of the building other than those shown on the drawings hereby approved. No new grilles, satellite dishes, aerials, meter boxes, security alarms, lighting, security or other cameras or other fixtures or plant shall be mounted on the external faces or roof of the building other than those shown on the drawings hereby approved.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local

Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.1.10 Landscaping and Public Realm Design

Prior to commencement of the landscaping works, a detailed hard and soft landscaping scheme illustrated on detailed drawings, shall be submitted to and approved in writing by the Local Planning Authority. 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.

8.1.11 Use as offices only

The units shown as office units (shown as 'WS' or 'MR') on the drawings hereby approved shall be used only as offices (Use Class E, subsection g) and for no other use which for the avoidance of doubt shall include other uses within Class E of the Town and Country Planning (Use Classes) Order 1987 or such relevant provision as from time to time may be in force.

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

8.1.12 Sustainability- BREEAM

Within 12 weeks of occupation of the development hereby approved, BREEAM post-construction assessments (or any assessment scheme that may replace it) for the commercial buildings hereby approved confirming that 'Very Good' ratings (or another scheme target of equivalent or better environmental performance) have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the as built development achieves the reduction in baseline regulated carbon emissions proposed within the original application.

8.1.13 Air Source Heat Pumps

Full details of location of the condenser units from the Air Source Heat Pumps (ASHP) (or any other related fixed plant adopted), shall be submitted to and approved by the Local Planning Authority, in writing, before any above ground development commences. The ASHP thereby approved shall be installed prior to the occupation of the development.

REASON: In the interest of addressing climate change and reducing greenhouse gases.

8.1.14 Air Permeability Testing

Prior to occupation of the development hereby approved, a full air permeability test report confirming the office units (Class E(g)) have achieved an air permeability of 5 m³/h/m²@50pa shall be submitted to and approved in writing by the Local Planning Authority.

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

8.1.15 Circular Economy Statement

Prior to the commencement of development a Circular Economy Statement shall be submitted to and approved in writing by the Local Planning Authority, which will demonstrate that the design of the development proposals is in line with the circular economy hierarchy. The recommendations of the statement thereby approved shall be carried out in full.

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

8.1.16 Insulation and Refrigerant Materials

Prior to commencement of the relevant phase of construction, the selection of insulation and refrigerant materials to have, wherever 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 interest of addressing climate change and reducing greenhouse gases.

8.1.17 Demolition and Construction Management Plan

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

- a) A demolition and construction method statement. It will cover all phases of the development to include details of all noise and vibration (including noise from ancillary or temporary power supplies, details and locations of noisy activities including mobile plant machinery) and details of the best practicable means of mitigation employed against noise and vibration in accordance with British Standard Code of Practice BS5228 and measures to control dust and preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A detailed demolition and construction logistics plan to include the following: the construction programme/ timescales; the number/ frequency and size of construction vehicles; construction traffic route; location of deliveries; pedestrian and vehicular access arrangements; any temporary road/ footway closures during the construction period;
- c) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during the construction project;

- d) 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 avoid hazard and obstruction being caused to users of the public highway, in the interests of sustainability and in the interest of public safety and amenity.

8.1.18 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.

8.1.19 Flood Resilience and Resistance

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

REASON: To ensure the suitability of the development with regard to ground and surface water flood risk.

8.1.20 Urban Drainage, Maintenance and Ownership

Prior to the commencement of work, detailed specification and a drainage layout of at least one suitable sustainable drainage system (i.e. water butt, raingarden, bioretention planter box, living roof (substrate depth of 80-150mm excluding the vegetative mat), permeable paving etc.) shall be submitted to, and approved by the LPA, in consultation with the SuDS officer. If soakaways i.e. plastic modules and soakaway rings are used, an infiltration test must be carried out to ensure that the capacity of the soil is suitable for infiltration. The SuDS shall aim to achieve the greenfield runoff rates (if infiltration is not feasible) and should reduce both the volume and rate of existing runoff from the site by at least 50%. It must be demonstrated that there will be no increase in surface water flow being discharged

offsite and an overall reduction in peak flow rate and volume for all return periods up to the 1 in 100 year storm events plus an allowance for climate change.

REASON: To ensure that the development will provide a sustainable drainage system.

8.1.21 Biodiverse living roof

Detailed drawings/full particulars of the proposed development showing the matters set out below must be submitted to and approved by the Local Planning Authority, in writing, prior to occupation. The development shall not be carried out otherwise than in accordance with the details thus approved, which shall be implemented in full prior to the first occupation of the office accommodation hereby approved.

a) a biodiverse, substrate-based extensive living roof (with a minimum substrate depth of 80mm, not including the proposed vegetative mat), including a detailed maintenance plan;

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

8.1.22 NOx Emissions

The NOx emissions standards set out in the GLA's 'Sustainable Design and Construction SPG' will be maintained on-site.

REASON: To ensure the acceptability of the scheme with respect to NOx pollution.

8.1.23 Delivery and Service Management Plan

Prior to the occupation of the development hereby approved, a Delivery and Service Management Plan (DSMP) specifying delivery and servicing and refuse/recycling arrangements shall be submitted and agreed by the Local Planning Authority. Details will include, but not be limited to, the following:

- a) Utilisation of the servicing entrance on Laburnum Street (and not the main office entrance on Swimmers Lane);
- b) The number of spaces available for servicing vehicles and their delivery times should, demonstrating that the proposed system would work within the available space.
- c) Arrangements for deliveries by lorries over 7.5 tonnes;
- d) Management of delivery times away from the peak morning and afternoon hours of 0800-1000 and 1600 to 1800 on weekdays;
- e) Refuse/recycling collection arrangements on an up to daily basis.

Delivery and service arrangements shall thereafter take place in accordance with the measures identified within the DSP.

REASON: In order to ensure that the development does not prejudice the amenity of adjoining occupiers.

8.1.24 Hours of Deliveries and Services

No deliveries to or collections from the site shall be made other than between the following times: 07:00 hours to 21:00 hours Monday to Saturday and 11:00 hours to 13:00 hours on

Sundays, Bank or Public Holidays.

REASON: To protect the amenities of nearby residential properties from noise.

8.1.25 Thames Water: Foul Water Capacity

No development shall be occupied until confirmation has been provided that either:

1. Foul water Capacity exists off site to serve the development, or
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development.

8.1.26 Thames Water: Surface Water Capacity

No development shall be occupied until confirmation has been provided that either:-

1. Surface water capacity exists off site to serve the development, or;
2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or;
3. All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development.

8.1.27 Contaminated land (pre-development)

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.

8.1.28 Contaminated land (pre-occupation)

Before first occupation/use of the development 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.

8.1.29 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

8.1.30 - Plant Noise

The total noise level from fixed plants shall be 10dB(A) or more below the background noise level at any noise sensitive premises at any time. The fixed plant shall be installed and constructed in accordance with the approved scheme and be permanently maintained thereafter.

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

8.1.31 No Primary Cooking

The use as a cafe/all day eatery hereby permitted under Class E shall include the serving of hot and cold drinks, sandwiches and other light refreshments for consumption on or off the premises. No primary cooking of unprepared food shall be carried out at the site. Only reheated or cold food that has been prepared elsewhere shall be served within the premises.

REASON: No flue is proposed for the unit, so the restriction would ensure that occupiers of neighbouring premises would not suffer a loss of amenity by reason of odour.

8.1.32 Noise Breakout- Commercial Premises

All sound emitted from the development, excluding plant noise, associated with this application, shall be 10dB(A) or more below the background noise level at any noise sensitive premises at any time.

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

8.1.33 Acoustic Enclosures: Extractor Fans

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council of acoustic enclosures around the proposed extractor fans. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from machinery and equipment

8.1.34 Anti- vibration mounts and silencing of machinery etc.

Prior to the installation on the relevant part of the development hereby approved, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that [machinery, plant/ equipment] [extract/ ventilation system and ducting] are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of the development site/ surrounding

premises is not adversely affected by vibration, in accordance with Policies DM H9 and H11 of the Development Management Local Plan.

8.1.35 External doors and windows to remain shut

The use shall not commence until all external doors to the premises have been fitted with self-closing devices, which shall be maintained in an operational condition and at no time shall any external door nor windows be fixed in an open position.

REASON: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise.

8.1.36 Floodlights and Security lights

Prior to commencement of the development, details of external artificial lighting shall be submitted to and approved in writing by the Council. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes For The Reduction Of Light Pollution 2011'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting.

8.1.37 Hours of use: Restaurants, Drinking Establishments & Event Space

The restaurant, drinking establishment and event space uses within the sui generis pool hall use hereby permitted shall only be open to the public between 08:00 and 23:00 hours, Monday to Sunday including Bank Holidays. All patrons must leave the premises by 23:30 hours.

REASON: To ensure the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.38 Hours of use: Retail Premises/Cafe

The Cafe use (Class E) in the south eastern corner of the building (shown as CA on the ground floor plan) hereby permitted shall only be open to the public between 08:00 and 22:00 hours Monday to Saturday and between 08:00 to 21:00 hours on Sundays.

REASON: To ensure the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally

8.1.39 Hours of Use: Ancillary Use Spaces

The ancillary spaces will be subject to a booking system with each space supervised along with secure access. Access will be available on weekdays between 09:00 and 17:00 hours,

Monday to Fridays only.

REASON: To ensure the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.40 Gymnasium

The basement gym (Use Class E(d)) will be accessed by employees only during core office hours of 09:00 and 18:00 hours. The use of the gym outside these hours by members of the public shall be limited to the hours between 07:00 to 22:00 hours Monday to Friday and between 09:00 to 21:00 hours on Saturdays, Sundays and Bank Holidays,

REASON: To ensure the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.41 Hours of Use: Terraces

The external terraces at third and fifth floor of the western building shall not be used outside the following hours:

08:00-18:00 on Monday to Friday

REASON: To ensure that the use is operated in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally.

8.1.42 Operational Management Plan

An Operational Management Plan must be submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development. The management plan will include but not be limited to:

- Arrangements for each of the proposed uses within the building;
- Public access to the pool hall will be enabled between at least the hours of 09:00 to 18:00 on at least five days of each week.
- Details of maximum amplified volume, to be controlled by sound limiter, at all events in the pool hall;
- Details of the type and maximum number (by week/month/year) of proposed events in the pool hall;
- Arrangements for queuing and smoking areas when events are taking place;
- Arrangements for dispersal of patrons after events;
- A telephone number for the on-site manager;
- A system for responding to contact from residents and managing complaints;

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

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

8.1.43 Cycle Spaces

Prior to occupation of the development, details of secure and waterproof cycle storage for 86 bicycles and a further 17 Sheffield stands on Swimmers Lane, lockers and staff shower facilities shall have been submitted to and approved by the Local Planning Authority. The cycle parking spaces and associated facilities thereby approved shall be installed before the first occupation of the development.

REASON: To ensure that a reasonable provision is made within the site for the parking of bicycles in the interest of relieving congestion in surrounding streets and improving highway conditions in general.

8.1.44 Bird and Invertebrate Boxes

Prior to occupation, a minimum of five (5) bird or bat boxes or bricks will be installed, with a variety of box/brick types suitable for use by different species. These will be maintained for the lifespan of the development.

REASON: To ensure that suitable replacement habitats are provided for existing wildlife.

8.1.45 Secure by Design

Prior to occupation of the development, details of measures to minimise the risk of crime to meet the specific security needs of the application site/development (as informed by the principles of Secured by Design), shall be submitted to and approved in writing by the Local Planning Authority, in consultation with a Metropolitan Police Secure by Design Officer. Once approved the development shall be carried out in accordance with the approved details and thereafter maintained as such.

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

8.1.46 Archaeology (Written Scheme of Investigation)

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: The site is within an Archaeological Priority Area and the proposed basement excavation may unearth significant remains.

- 8.1.46** Prior to the occupation of the office floorspace (shown as 'WS' or 'MR') on the drawings hereby approved, a detailed 'Discounted Workspace Statement' shall be submitted to and approved in writing by the Local Planning Authority. The use shall not be carried out otherwise than in accordance with the details thereby approved.

REASON: To ensure that the office use provides entry level provision for workers and businesses, in line with the employment policies of the local plan.

Recommendation B (Listed Building Consent 2020/2684)

- 8.2 That Listed Building Consent be GRANTED, subject to the following conditions:**

8.2.1 SCB0 – Development in accordance with plans

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

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

8.2.2 Commencement within 3 years

The Development hereby permitted must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: In order to comply with the provisions of Section 18(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

8.2.3 Conditions meeting

Before any works to the listed building begin, a site meeting shall be held between the Local Planning Authority and the persons responsible for undertaking the works to ensure that the conditions attached to the Listed Building Consent are understood and can be complied with in full. Notification of the date and time of a meeting shall be made in writing

to the Local Planning Authority. Minutes of the meeting shall be submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in conformity with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.4 Preliminary works plan

Before any works to the listed building begin, a Preliminary Works Plan shall be submitted to, and approved in writing by, the Local Planning Authority, and the works carried out in complete accordance with the approved Preliminary Works Plan and not otherwise. The Preliminary Works Plan shall state the proposed sequence of the following works and provide brief details of the activities under each heading:

- A. Asbestos removal (full details to be provided in the Asbestos Removal Method Statement as part of another condition);
- B. Historic features protection (full details to be provided in the Historic Features Protection Method Statement as part of another condition);
- C. Sorting and clearance of items not attached to the building including a proposed salvage and reuse strategy for any significant items;
- D. Scaffolding of the building internally and externally (including details of how the scaffolding will be attached to the building);
- E. Urgent works which are marked as “Immediate Action, Further Investigations and Required action within 12 months” at Paragraph 1.2 Summary of Recommendations on page 2 of the Condition Survey (Donald Insall Associates, February 2019);
- F. Preliminary structural survey (including details of the necessary intrusive investigations, opening up works and trial pits including their locations and scale);
- G. Timber survey (full details to be provided in the timber survey as part of another condition);
- H. Revised condition survey of previously inaccessible areas (full details to be provided in the condition survey as part of another condition);
- I. Historic recording of the basement area and the significant plant within it (full details to be provided in the Basement, Plant and Columns Method Statement as part of another condition);
- J. Revised schedule of works (including details of the removal of insignificant items attached to the building (strip out) and a proposed salvage and reuse strategy for significant items attached to the building, full details to be provided in the revised schedule of works as part of another condition);
- K. Any other preliminary works.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and

Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.5 Asbestos Removal Method Statement

Before any works to the listed building begin, an Asbestos Removal Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall identify the items and elements to be removed, detail the methods to be used and detail any consequential works affecting the historic fabric of building which result from removal. It shall include details of the proposed methods for asbestos removal in relation to the retained plant (including one Lancashire boiler (which one to be approved), one Green's economiser, one water heater (which one to be approved), a sample of roof tank panels (which ones and how many to be approved) and the nine cast iron basement columns). The works shall not be carried out otherwise than in accordance with the approved Method Statement.

REASON: To understand and control the potential impact on the historic fabric of the building during the asbestos removal process and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.6 Historic features protection method statement

Before the start of works (other than asbestos removal works) a Historic Features Protection Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed drawings or specifications showing the method by which the existing significant internal historic features (other than are to be protected during building works so as to ensure their retention. The development and works shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that those features that contribute to the special architectural and historic interest of the building are retained and in accordance with Sections 16 and 17 (1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.7 Revised structural survey report

Notwithstanding the approved plans and documents, before the start of the relevant part of the works a detailed Revised Structural Survey Report shall be submitted to and approved in writing by the Local Planning Authority. This shall detail how the retained parts of the listed building stand and what issues there are known to be as a result of the intrusive investigations, opening up works and trial pits carried out as part of the Preliminary Works.

The works shall not be carried out otherwise than in accordance with the approved Revised Structural Survey Report.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.8 Timber decay report and method statement

Before the start of the relevant part of the works a detailed Timber Decay Report and Method Statement with full particulars of the proposals for the treatment of dry rot, other timber decay and timber infestation, shall be submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out otherwise than in accordance with the approved Method Statement.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.9 Revised condition survey

Before the start of the relevant part of the works a detailed Revised Condition Survey of the retained parts of the listed building shall be submitted to and approved in writing by the Local Planning Authority. The Revised Condition Survey shall assess the condition of those elements of the building which were previously inaccessible (including high level walls and roof areas) at the time of the planning applications. The works shall not be carried out otherwise than in accordance with the approved Revised Condition Survey.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.10 Revised schedule of works

Notwithstanding the approved plans and documents, before the start of the relevant part of the works a Revised Schedule of Works of the retained parts of the listed building shall be submitted to and approved in writing by the Local Planning Authority. The Revised

Schedule of Works shall include floor plans with rooms identified by letter and number and a set of tables showing the significance, condition and nature of what exists together with proposals for each room detailing all the proposed works to floors, walls, ceilings and other room contents including works of stripping out, repair and replacement with details of proposed materials and methods. The works shall not be carried out otherwise than in accordance with the approved Revised Schedule of Works.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.11 Basement, plant and columns method statements

Before any works (including Preliminary Works) to or affecting the basement area of the listed building and the significant plant within it begin, the following shall be submitted to, and approved in writing by, the Local Planning Authority, and the works carried out in complete accordance with the approved details and not otherwise:

- A. A Basement, Plant and Columns Historic Building Recording Method Statement detailing the physical scope of the recording, the contractor and personnel to be used, the further archival or other research to be conducted, the methodology (whether sketching, plan or other drawings, photographs, visual inspection, 3D laser scanning, the use of point cloud etc.), the format for presentation (including the layout of text and photos and the technical format and means of transmission of any digital data), details of how the report will address the required standard and the proposed method of submission to the Greater London Historic Environment Record and Hackney Archives;
- B. The basement area of the listed building which is to be demolished and the significant plant within it shall be subject to a full historic building recording in accordance with the approved Basement, Plant and Columns Historic Building Recording Method Statement and to the standard indicated in the Historic England guidance document Understanding Historic Buildings: A Guide to Good Recording Practice (Historic England, May 2016). The recording should be at Level 3 as described in Paragraph 5.3 and the record disseminated and published as described in Paragraphs 6.2 and 6.3 of that document. The completed record shall be submitted to and approved by the Local Planning Authority, in writing, and shall then be submitted to the Greater London Historic Environment Record and Hackney Archives and evidence of this submission be provided to the Local Planning Authority in writing;
- C. A Basement, Plant and Columns Works Method Statement which shall include details of the proposed sequence of tasks and method for works to the other plant and columns (including one Lancashire boiler (which one to be approved), one Green's economiser, one water heater (which one to be approved), a sample of roof tank panels (which ones and how many to be approved) and the nine cast iron basement columns, hereafter "the retained plant") including a Condition Survey,

dismantling, cleaning, storing (with details of the location and person responsible if off site) and reassembling;

- D. A Basement, Plant and Columns Display and Interpretation Method Statement which shall include details of the proposed location, display and historical interpretation of the retained plant.

REASON: To ensure that special regard is paid to recording the special architectural and historic interest and integrity of the building, particularly including those areas and items which are proposed to be demolished or relocated, under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.12 Structural engineer's report: demolition and excavation

Before the start of the relevant part of the works, proposals for any structural works shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out accordingly. The required detail is the submission of a detailed report and method statement by a suitably qualified and experienced chartered structural engineer, addressing the following areas:

- A. Detailing the engineer's qualifications, relevant experience and supervisory role;
- B. Detailing the method by which the retained historic building is to be supported and protected during the works so as to ensure the structural stability and integrity of all the elements which are to be retained (the temporary works). To include details of how the chimney will be safeguarded during the adjacent demolition;
- C. Detailing the methods to be used for any demolition and confirming how damage to the retained historic structure will be avoided and how the safety and stability of the retained historic building will be ensured in the context of adjacent underpinning and pile driving;
- D. Detailing the structural interventions to ensure that the retained historic building will stand in the future, including details (for example and not limited to) of any new foundation design, underpinning, steelwork and other strengthening and their locations and methods of fixing and installation, adaptations to the retained parts of the listed building including removed internal walls and new openings in walls and the pool hall ceiling, the new opening in the Women's Second Class Slipper Baths area, steelwork repairs and cathodic protection, with sketches as necessary (the permanent works).

All excavation and structural works shall be carried out strictly in accordance with the details so approved. No other excavation or structural works are authorised by this consent without prior approval of the details.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.13 Design details to be approved (external)

Before the start of the relevant part of the works, detailed drawings and full particulars of the following details to be used on the retained parts of the listed building shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall not be carried out otherwise than in accordance with the details thus approved:

- A. Details of the proposed new Pool Hall lantern;
- B. Details of the proposed south elevation front skylight replacing the existing coal doors;
- C. A rooflights schedule, clarifying which rooflights are historic and which modern, which are to be replaced and which repaired or upgraded, together with details of any replacements, repair or thermal or other upgrading;
- D. A window schedule, clarifying which windows are historic and which modern, which are to be replaced and which repaired or upgraded together with details of any replacements, repair or thermal or other upgrading;
- E. Details of window replacing the existing door on the front elevation;
- F. Details of all new or replacement external doors including to the front cafe, the two front entrances and the main north rear doors and other doors on north elevation;
- G. Details of new, repaired and replacement roof coverings, with materials and dimensions shown on typical section drawings, especially where thermal upgrading is proposed;
- H. Details of the replaced dormer to the existing caretaker's flat
- I. Details of new roof plant including access equipment, including gantries;
- J. Details of all vents, flues and extracts;
- K. Details of the junction between the new and old buildings on the west and north elevations;
- L. Details of the junction between the existing chimney and new building;
- M. Details of all rainwater goods;
- N. Details of pigeon deterrence measures;
- O. Details of any lightning conductor;
- P. Details of external lighting scheme.

REASON: To ensure good design and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in conformity with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.14 Design details to be approved (internal)

Before the start of the relevant part of the works, detailed drawings and full particulars of the following details of proposed works to the retained parts of the listed building shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall not be carried out otherwise than in accordance with the details thus approved:

- A. Structural details of the proposed pool pavilion especially the junction with the existing pool fabric together with details of the proposed void former and membrane;
- B. Details of any proposed flooring to the pool and tiling to the pool walls;

- C. Details of the proposed mirror surface material to the pool pavilion;
- D. Details of the new pool steps, the railings around the pool and the railing to the balcony;
- E. Details of works to restore the existing first floor slipper baths area;
- F. Details of all new and replacement fireplaces;
- G. Details of all internal joinery, especially any new doors, skirting boards, dado rails, picture rails, cornices etc;
- H. Details of the proposed services in the form of a set of services drawings showing the nature and location of services and how they will be threaded through the building;
- I. Details of any proposed damp proofing works;

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in conformity with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.15 Method Statements

Before the start of the relevant part of the work, the following Method Statements shall be submitted to, and approved in writing by, the Local Planning Authority, and the works carried out in complete accordance with the approved Method Statements and not otherwise:

- A. A Pool Hall Plasterwork Method Statement providing details of all proposed works to the Pool Hall plasterwork including any removal, replacement, thermal and acoustic upgrading;
- B. A Cupola Method Statement detailing the repairs to the roof tower, the cupola and the ship weathervane, with details of the materials and methods to be used;
- C. A Brick and Stonework Method Statement for the repair of external brickwork and stonework including brick and stone repair and replacement, rebedding, re-pointing etc.;
- D. A Cleaning Method Statement for the cleaning of external brickwork and stonework (if any);
- E. A Chimney Method Statement for structural and repair works to the chimney;
- F. An Architectural Metalwork Method Statement for repair of historic external railings to front, rear and upper levels;
- G. A Boardroom Method Statement providing details of all the proposed works to this room including the proposed fireplace and panelling;
- H. An Entrance Hall Method Statement providing details of all the proposed works to this room including works to the floor;
- I. A Flooring Schedule and Method Statement identifying where historic parquet and granolithic floors survive in a reusable state and all works to floors;
- J. A Door Schedule, clarifying which internal doors are historic and which modern, which are to be replaced and which repaired or fire rated and the works proposed;

- K. A Glazed Brick Method Statement for the removal of paint from glazed brick areas internally, staircases and wherever there is glazed brick including the pool hall lower level wall;
- L. An Internal Brick Cleaning Method Statement for the cleaning of other brickwork e.g. in basement;
- M. A Ceiling Schedule and Method Statement clarifying which ceilings are lath and plaster and which are to be replaced and which repaired or fire rated and the works proposed.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.16 Structural variation

In the event that a variation is proposed from the structural interventions hereby approved, full details of the varied structural interventions shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.17 Building Control variation

In the event that a variation is proposed from the works hereby approved, as a result of discussions with Building Control and the requirement to meet Building Regulations, full details of the variations to the works shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.18 Minor design variation

In the event that a variation is proposed from the works hereby approved, in relation to minor works of internal alteration to the retained parts of the listed building (but not any works of demolition or extension), full details of the proposed variations to the works shall be submitted to and approved by the Local Planning Authority, in writing, before the relevant part of the work commences on site. The development shall not be carried out otherwise than in accordance with the details thus approved.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.19 Basement, Plant and Columns retention

The retained plant (including the approved parts of one Lancashire boiler, the approved parts of one Green's economiser, the approved parts of one water heater, the approved sample of roof tank panels and the nine cast iron basement columns) together with any approved display and historical interpretation, shall remain and be retained in situ within the approved location in perpetuity.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.20 New discoveries

During the works, if hidden historic features are revealed they shall be retained in-situ. Works shall be halted in the relevant area of the building and the Local Planning Authority shall be notified immediately. Failure to do so may result in unauthorised works being carried out and an offence being committed.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, July 2021, Paragraphs 189 to 208; The London Plan 2021 Policy HC1 Heritage conservation and growth; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.21 Bedding, pointing and rendering to be in lime

All rebuilt and reinstated brickwork shall be bedded, pointed and rendered using a lime based mortar consisting of 1 part lime to 3 parts sand. Cementitious mortars shall not be used. Pointing shall be in a slightly (2/3mm) recessed style and not flush, bucket handle, ribbon, weatherstruck or raised pointing.

REASON: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; The London Plan, Policy HC1 Heritage conservation and growth Part C; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2.22 Works to match existing

All new works, and works of making good to the retained fabric, whether internal or external, shall be finished to match the original work with regard to the methods used and to material, dimensions, composition, form, colour, finish and profile, and in the case of brickwork, facebond and pointing.

REASON: In accordance with Section 17 (1) (b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and National Planning Policy Framework, June 2019, Paragraphs 184 to 202; The London Plan, Policy HC1 Heritage conservation and growth Part C; and Hackney Local Plan 2033, Policies LP1 Design Quality and Local Character, LP3 Designated Heritage Assets and LP4 Non Designated Heritage Assets.

8.2 Recommendation C

8.2 That the above recommendation is subject to completion of a Legal Agreement which secures the following matters to the satisfaction of the Head of Planning and the Director of Legal and Governance Services.

Highways and Transportation

- Car Free Agreement – to restrict new business uses of the development from obtaining parking permits to park in the surrounding CPZ bays.
- Travel Plan and Travel Plan monitoring fee of £5,000.
- A contribution towards Highways Works of £46,681.59
- Removal of two parking bays (one on Laburnum Street, one on Whiston Road) to provide on-street cycle parking for 30 cycles. The estimated cost is £13,500.
- A contribution of £8750 towards Construction Logistics and Community Safety (CLOCS) and Construction Logistics Plan (CLP) monitoring

- Provision of a Parking Design Statement within the Travel Plan, identifying 2 on-street disabled parking bays, located as close as possible to the entrance areas (under 50 metres) and to be provided prior to occupation of the development.

Hackney Works Contribution

- A Ways into Work contribution of £35,138.25 towards Construction and Demolition and £251,086.44 towards End Use.

Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Active programme for recruiting and retaining apprentices and as a minimum take on at least one apprentice per £2 million of construction contract value and provide the Council with written information documenting that programme within seven days of a written request from the Council; Commitment to the Council's local labour and construction initiatives (30% on site employment and 30% local labour for first five years of operational phase) in compliance with an Employment and Skills Plan.
- 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.

Discounted Workspace

- The agreed Discounted Workspace to be provided in perpetuity

Carbon Offset Payment

- A Carbon Offset Payment of £350,550

Payment in Lieu for Open Space

- £194,633. To reflect the underprovision of on-site open space by 1696m².

Retention of heritage supervision

- Donald Insall Associates shall be retained as the heritage consultants with oversight of the works up to the time of practical completion.

Retention of design team

- Squire and Partners shall be retained as the architects with supervision of the works up to the time of practical completion.

Securing heritage benefits

- Areas of the development to be identified as Phase 1 and areas as Phase 2. The works to restore the retained parts of the listed building will be Phase 1 and the new office building should be Phase 2. Phase 1 should be completed to the satisfaction of the Council prior to the occupation of Phase 2.

Costs

- Payment by the landowner/developer of all the Council's legal and other relevant fees, disbursements and Value Added Tax in respect of the proposed negotiations and completion of the proposed Legal Agreement, payable prior to completion of the deed.
- Monitoring costs payable on completion of the agreement.

8.3.1 Recommendation D

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

9.0 INFORMATIVES

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

- SI.2 Work Affecting Public Highway
- SI.3 Sanitary, Ventilation and Drainage Arrangements
- SI.6 Control of Pollution (Clean Air, Noise, etc.)
- SI.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

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

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

NSI Thames Water Informatives

The proposed development is located within 15 metres of Thames Water's underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other

structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

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 Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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

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

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

ALED RICHARDS
Director, Public Realm

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