

<p>ADDRESS: Britannia Leisure Centre (including car park and hard courts) adjacent to Hyde Road and Pitfield Street N15 JU; land on the corner of Penn Street and Bridport Place; and other land within Gopsall Street, Northport Street and Shoreditch Park (including, but not limited to, Grange Street).</p>	
<p>WARD: Hoxton East and Shoreditch Ward</p>	<p>REPORT AUTHOR: Nick Bovaird</p>
<p>APPLICATION NUMBERS: 2021/3335</p> <p>DRAWING NUMBERS: T5073-H3-FCB-00-DR-A-0200 P10, H3-FCB-01-DR-A-0201 P10, H3-FCB-02-DR-A-0202 P10, H3-FCB-03-DR-A-0203 P11, H3-FCB-RL-DR-A-0204 P05, H3-FCB-XX-DR-A-0300 P03, H3-FCB-00-DR-A-0400 P05, H3-FCB-01-DR-A-0401 P05, H3-FCB-02-DR-A-0402 P05, H3-FCB-03-DR-A-0403 P05, H3-FCB-XX-DR-A-0700 P03, H3-FCB-XX-DR-A-0800 P03, H4-FCB-00-DR-A-0200 P09, H4-FCB-01-DR-A-0201 P08, H4-FCB-RL-DR-A-0225 P05, H4-FCB-XX-DR-A-0300 P03, H4-FCB-00-DR-A-0400 P05, H4-FCB-01-DR-A-0401 P05, H4-FCB-RL-DR-A-0402 P05, H4-FCB-XX-DR-A-0700 P04, H4-FCB-XX-DR-A-0800 P04, H5-FCB-00-DR-A-0200 P10, H5-FCB-01-DR-A-0201 P07, H5-FCB-RL-DR-A-0225 P06, H5-FCB-M1-DR-A-0250 P10, H5-FCB-XX-DR-A-0300 P03, H5-FCB-XX-DR-A-0301 P02, H5-FCB-XX-DR-A-0302 P02, H5-FCB-00-DR-A-0400 P05, H5-FCB-01-DR-A-0401 P05, H5-FCB-M1-DR-A-0450 P05, H5-FCB-RL-DR-A-0425 P05, H5-FCB-XX-DR-A-0700 P04, H5-FCB-XX-DR-A-0800 P03, H5-FCB-XX-DR-A-0801 P03, H6-FCB-00-DR-A-0200 P11, H6-FCB-01-DR-A-0201 P06, H6-FCB-RL-DR-A-0220 P06, H6-FCB-M1-DR-A-0250 P10, H6-FCB-00-DR-A-0400 P05, H6-FCB-01-DR-A-0401 P05, H6-FCB-M1-DR-A-0450 P05, H6-FCB-RL-DR-A-0420 P05, H6-FCB-XX-DR-A-0700 P04, H6-FCB-XX-DR-A-0800 P03, H6-FCB-XX-DR-A-0801 P03,</p>	<p>VALID DATE: 16-11-2021</p>

<p>ZZ-FCB-XX-DR-A-0800 P03, ZZ-FCB-XX-DR-A-0801 P03, ZZ-FCB-XX-DR-A-0802 P03, ZZ-FCB-XX-DR-A-0803 P03, ZZ-FCB-XX-DR-A-0804 P03, ZZ-FCB-00-DR-A-0200 P07, ZZ-FCB-RL-DR-A-0201 P04, ZZ-FCB-RL-DR-A-0225 P05, ZZ-FCB-RL-DR-A-0240 P03, ZZ-FCB-RL-DR-0230 P03 70037316-SK-31 Rev F</p> <p>T5073-RE-CLA-00-DR-L-1000 P01, RE-CLA-00-DR-L-1001 P01, RE-CLA-00-DR-L-1002 P01, RE-CLA-RL-DR-L-1100 P01, RE-CLA-00-DR-L-2001 P01, RE-CLA-00-DR-L-2002 P01, RE-CLA-ZZ-DR-L-3001 P01, RE-CLA-ZZ-DR-L-3002 P01, RE-CLA-ZZ-DR-L-3003 P01, RE-CLA-ZZ-DR-L-3007 P01, RE-CLA-ZZ-DR-L-3009 P01, RE-CLA-ZZ-DR-L-3010 P01, RE-CLA-ZZ-DR-L-3011 P01, RE-CLA-00-DR-L-4001 P01, RE-CLA-00-DR-L-4002 P01, RE-CLA-00-DR-L-5001 P01, RE-CLA-00-DR-L-5002 P01, RE-CLA-RL-DR-L-5011 P01, RE-CLA-RL-DR-L-5012 P01,</p> <p>Reserved matters Planning Statement November 2021, Reserved matters Design and Access Statement November 2021, Reserved matters Daylight and Sunlight Assessment November 2021, Reserved matters Commercial Units Marketing Strategy November 2021, Reserved matters: Wind Microclimate Assessment November 2021, Reserved Matters: Fire Strategies for Buildings H3-H6 November 2021 by Buro Happold, Energy, Overheating & Sustainability Statement – Residential masterplan update (H3-H6) T5073-RE-BHE-XX-RP-01-S4 Rev P04 by Buro Happold, Reserved Matters: EIA Statement of Conformity November 2021</p>	
<p>APPLICANT: Mr Ian Williams London Borough of Hackney Hackney Town Hall 1 Hillman Street London E8 1DY</p>	<p>AGENT: Leanne Williams, Tibbalds Planning and Urban Design 19 Maltings Place, 169 Tower Bridge Road London SE1 3JB</p>

<p>PROPOSAL:</p> <p>Application for the approval of reserved matters in relation to hybrid planning permission 2018/0926 (as amended by planning permission 2019/3836) for the appearance, layout and landscaping for Plots H3/H4/H5/H6 comprising the construction of four buildings, ranging from 4 to 25 storeys in height, providing 387 residential units with private communal residential landscaped gardens, commercial space (Use Class E), as well as associated plant, cycle storage, refuse provision, other residential ancillary space and public realm improvements. This application has been submitted pursuant to conditions 30 (Energy, Sustainability and Overheating), 36 (Appearance, Layout and Landscape), 42 (Conformity statement), 43 (Sunlight and Daylight), 44 (Marketing Strategy), 45 (Wind Mitigation) and 46 (Carbon Assessment).</p>
<p>POST SUBMISSION REVISIONS:</p> <ul style="list-style-type: none"> • None
<p>RECOMMENDATION SUMMARY:</p> <p>Approve reserved matters subject to conditions, and discharge of conditions.</p>

REASON FOR REFERRAL TO PLANNING SUB-COMMITTEE:	
Major application	Yes
Substantial level of objections received	x
Other (in accordance with the Planning Sub-Committee Terms of Reference)	Yes

ANALYSIS INFORMATION

ZONING DESIGNATION:	(Yes)	(No)
Controlled Parking Zone (CPZ)	X	
Conservation Area		X
Listed Building (Statutory)		X
Listed Building (Local)		X
Priority Industrial/Office Area (PIA/POA)		X
Central Activities Zone (CAZ)		X

PROPOSED RESIDENTIAL MIX TABLE

PROPOSED RESIDENTIAL UNIT MIX	NO OF UNITS	RESIDENTIAL MIX
Private		
Studio	28	7%
1 bed	153	40%
2 bed	182	47%
3 bed	24	6%
Total	387	

PARKING DETAILS:	Parking Spaces (General)	Parking Spaces (Disabled)	Bicycle storage
Existing	0	0	0
Proposed	0	0	502 Long Stay 14 Visitor

LAND USE DETAILS:	Use Class	Use Description	Floorspace Sqm
Existing		Vacant	
Proposed	C3 E	Residential Flexible Commercial	34029 315

CASE OFFICER'S REPORT

1. SITE CONTEXT

- 1.1 The site is vacant land located between the northern boundary of Shoreditch Park, Pitfield Street to the east and Gopsall Street and a new school, to the north. It is located on the site of the former Britannia Leisure Centre. This phase of development follows construction of the new Leisure Centre on an area of hard surfaced courts to the south, on the east side of Shoreditch Park. The development red line of the wider site, subject of the hybrid permission, also includes the site of the new school on Hyde Road, between Northfield Street and Pitfield Street, and an approved residential development on the corner of Hyde Road and Bridport Place.
- 1.2 The site is located within a Controlled Parking Zone (CPZ) and has a Public Transport Accessibility (PTAL) of 2-4, representing moderate accessibility. Shoreditch Park, including the existing hard surfaced courts which are part of the leisure centre, is Designated Open Space, and a Site of Importance for Nature Conservation. Crossrail 2 tunnel safeguarding routes pass beneath the site.
- 1.3 The wider context which surrounds the site is varied. Areas to the south, east and west of the site on the opposite side of Shoreditch Park are mostly residential in character, comprising blocks of flats predominantly dating from the post war period ranging in height from 2-11 stories. Areas to the north include the Colville Estate which is undergoing redevelopment (see history section) and the Regents Canal, which is a Priority Employment Area (PEA) and is lined by a larger number of buildings in commercial use. Hoxton High Street is a short walking distance from the site to the east. Shoreditch and City Road, which are predominantly commercial areas within the London Plan Central Activities Zone, are approximately half a mile from the site to the south.

2. CONSERVATION IMPLICATIONS

- 2.1 Areas of the former Britannia Leisure Centre car park are within the Hoxton Archaeological Priority Area. Areas of the site at the corner of Bridport Place / Penn Street are adjacent to

Shoreditch Park Primary school which is a locally listed building. In addition as the proposals include tall buildings the proposals could also impact upon the setting of listed buildings and conservation areas some distance from the site. Potentially affected conservation areas and listed buildings include Regents Canal, Arlington Square and De Beauvoir Conservation Areas to the north and west, Hoxton Street, Kingsland Conservation Areas, Geffrye Museum (grade I listed) and St John's Church, Hoxton (grade II*) to the south and east.

3. HISTORY

- 3.1 Planning permission granted in December 2018 for outline (hybrid) application for the demolition of existing buildings and erection of eight buildings to provide a maximum overall floorspace of up to 83,989m² (GEA), comprising: Up to 481 residential units (use class C3) within 6 separate residential blocks (H1-H6 ranging in height from ground plus 3 to 24 storeys); Up to 400m² (GEA) of flexible commercial floorspace within use classes A1 / A3 / B1; 492 m² GEA use class D1 (Early Years Centre); Secondary School of 15,005m² GEA (use class D1); Leisure Centre of 12,009m² GEA (use class D2). Full details (with no matters reserved) to provide 93 residential units (11,063m² GEA), 492m² GEA of Early Years non-residential floorspace (use class D1), Secondary School of 15,005m² GEA use class D1; Leisure Centre of 12,009m² GEA use class D2 and public realm improvements. Outline details are submitted for site layout, scale and means of vehicular access (with appearance, internal layout and landscaping reserved for later approval) for 388 residential units (up to 45,020m² GEA) and up to 400 m² (GEA) of flexible commercial floorspace (Class A1/A3/B1) and other public realm / communal private space improvements. (2018/0926)
- 3.2 Non-Material Amendment to 2018/0926 granted in January 2020 for the demolition of existing buildings and erection of eight buildings, comprising: up to 481 residential units; flexible commercial floorspace within use classes A1 / A3 / B1; Early Years Centre; Secondary School; and Leisure Centre. Amendments to the school include: change to cycle store frame material; rooftop planters; amendments to windows; change of small areas of the facade from brick to precast concrete; raising of balustrades, roof plant screens, parapets by up to 200mm; increase in size of sportshall columns; amendment to playground fencing. Changes to the Leisure centre include: changing small sections of the facade from glazing to pre-cast concrete, and some areas from concrete to glazing; change to design of Hackney logo on north elevation.
- 3.3 Numerous approval of details applications for 2018/0926 have been granted in the subsequent period. These have related to phases 1A and 1B and have discharged conditions 3, 4, 9A, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 23, 33, 34 and 35. Condition 10 has been discharged in relation to phase 2A.
- 3.4 Planning permission granted in February 2020 for the erection of a temporary energy centre and temporary gas metre housing to the south of the approved Leisure Centre. (2019/3660).
- 3.5 The corner of Bridport Place and Penn Street, at the west end of Whitmore Primary School's playground [now Shoreditch Park Primary School]: Planning permission granted in July 2006 for erection of a single storey building 274sqm GIA for temporary use as a

marketing suite (SG) in support of the One Parkside Development (Colville Estate) for the period up to December 2018 after which the use shall be education (D1) in perpetuity (2016/1494)

- 3.6 Britannia Health and Fitness Centre 40 Hyde Road: Planning permission granted in December 2006 for alterations comprising provisions for disabled access (including 3 new disabled parking bays), external bin store and floodlighting of car park (ref: 2006/2861).
- 3.7 Scoping opinion for the scope of Environmental Impact Assessment (EIA) for demolition of existing buildings; approx. 480 residential units within a series of buildings ranging in height from approx. 2-24 stories; 12,400sqm (GIA) education facility (D1 use), 9,400sqm (GIA) leisure floorspace; 400sqm (GIA) commercial floorspace; energy centre; new / enhanced public realm, submitted in November 2017 (ref: 2017/4080) was granted as it is considered that the proposed scope of the EIA was acceptable.

Other relevant planning history of nearby sites:

- 3.8 Colville Estate: Outline planning permission granted in March 2012 for the demolition of the existing buildings comprising of 412 dwellings and 350 sq.m (Gross Internal Area) of non-residential floorspace, and the development of a residential led mixed use scheme of replacement buildings comprising of: Residential (Use Class C3) up to 884 dwellings, commercial space, of which up to 1,010 sq.m (GIA) can be Business (Use Class B1); Mixed use of Retail (Use Class A1), Financial and professional services (Use Class A2), Restaurants and café (Use Class A3), Drinking establishments (Use Class A4), Hot food takeaways (Use Class A5), Community/Health uses (Use Class D1), and Assembly and leisure (Use Class D2) up to 950 sq.m (GIA); Vehicular and cycle parking (to basement, semi-basement, under-croft and surface level); Together with associated areas of open space, hard and soft landscaping; alterations to new pedestrian and vehicular accesses and highway and engineering works; electricity sub-station and other utility requirements, including an energy centre; and other associated temporary works or structures.

Appendix A- Heads of Terms:

- 3.9 At appendix A of this report are listed the Heads of Terms to the Unilateral Undertaking of the Hybrid application.

4 CONSULTATIONS

- 4.1 Date Statutory Consultation Period started: 03/12/2021.
- 4.2 Date Statutory Consultation Period ended: 27/12/2021.
- 4.3 Site Notice: Yes.
- 4.4 Press Advert: Yes.

4.5 Neighbours

- 4.5.1 Letters were sent to 773 neighbouring occupiers for the full planning application. At the time

of writing the report (09/02/2022) 7 letters of objection have been received. The objections are summarised accordingly below:

- Impact of the scale of the development on the local townscape.
- Neighbours should be given more time to respond to the consultation;
- There are too many documents to look at;
- The impact of wind on sports at the neighbouring park;
- The application does not discuss Affordable Housing;
- Loss of open space;
- Shortage of cycle parking must be addressed without utilising space in the park for apartment inhabitants' bikes;
- If Bus Route 21 is changed (removed and replaced with a shorter version of the 271 per current proposal by TfL), there will be even less public transport access to the development;
- It is not clear how much Council money is at risk from the development.
- Consultation letters should be sent to users of the Leisure Centre and pupils/parents/teachers at the school;
- Given the Secretary of State's decision to prohibit construction of Phase 2a, this application should consider where to put the Affordable Housing that formed part of that phase.

4.5.2 Responses to these objections are addressed in the assessment section of the report.

4.6 Local Groups/Consultees

4.6.1 Design Review Panel (consulted at pre-application stage, 7th September 2021):

Townscape & Urban Context

The site is part of the wider Britannia Masterplan area, which sits adjacent to Shoreditch Park. The site is not in a conservation area or within the immediate vicinity of any listed buildings. Shoreditch Park is Designated Open Space, and a Site of Importance for Nature Conservation. Crossrail 2 tunnel safeguarding routes pass beneath the site.

The wider context surrounding the site is varied. Areas to the south, east and west of the site on the opposite side of Shoreditch Park are mostly residential in character, comprising blocks of flats predominantly dating from the post war period ranging in height from 2-11 stories. Areas to the north include the Colville Estate which is undergoing redevelopment and the Regents Canal, which is a Priority Office Area (POA) and is lined by a larger number of buildings in commercial use. Hoxton High Street is a short walking distance from the site to the east. Shoreditch and City Road, which are predominantly commercial areas within the London Plan Central Activities Zone, are approximately half a mile from the site to the south.

The site is located within a Controlled Parking Zone (CPZ) and has a Public Transport Accessibility (PTAL) of 2-4, representing moderate accessibility.

Areas of the Britannia Leisure Centre car park are within the Hoxton Archaeological Priority

Area. Areas of the site at the corner of Bridport Place / Penn Street are adjacent to Shoreditch Park Primary school which is a locally listed building. In addition, as the proposals include tall buildings the proposals could also impact upon the setting of listed buildings and conservation areas some distance from the site. Potentially affected conservation areas and listed buildings include Regents Canal, Arlington Square and De Beauvoir Conservation Areas to the north and west, Hoxton Street, Kingsland Conservation Areas, Geffrye Museum (grade I listed) and St John's Church, Hoxton (grade II*) to the south and east.

Architecture & Facades

A lot of good work has been done in working up the detailed design for this phase and it is generally moving in the right direction. However, the Panel expressed concerns with the composition of the facades for the two towers, which appear underwhelming and the least special within the masterplan. By copying the elevations of the 4 storey school and running it over 20+ storeys, the design becomes much less successful and the projecting horizontal bands at regular intervals make the buildings look caged and dated. Whilst the colour palette of light coloured stone and earthy brickwork works well by creating a subtle contrast, the proposed checkerboard pattern to the facades creates lots of individual rectangles and a directionless weave. The on/off glazing pattern, repeating Juliet balconies and piers all dilute the design and leave it generally lacking in adventure. The Panel also has concerns with potential staining of the horizontal bands and are not convinced by the proposed crown, which appears mean.

The Panel were more supportive of the lower residential blocks, which are detailed well and appear robust, although there was some concern that the brick colours of these blocks and the towers appear too similar.

Other Matters

With regards to internal layouts to the residential units, the Panel observed several potential issues, which should be worked through as the scheme progresses. These include bathrooms and bedrooms opening onto living rooms, small or poorly located kitchens, lack of internal cycle storage in some units or poor location within bedrooms.

In terms of Sustainability, the Panel understands that the scheme submission will include a full energy strategy, which will be London Plan compliant, use CHP and incorporate high performance facades with low u values and PVs on roofs.

The Panel observed that a Fire Statement will be required at the submission stage and that a single stair approach for the towers may not meet future regulations. At 25 storeys, the tallest residential tower appears to be under-lifted with provision of only two lifts.

Suggestions for Improvement

The Panel encourage more investment in the detailing of the towers, which will make them work and bring them to life. It is primarily the low level colonnade that needs to tie in with the school and above that there should be more freedom in the design. The Panel strongly encourages the architects to be bolder and make the towers more robust by tweaking proportions, exploring the subtleties between recesses and piers and playing around with the planes of the glazing and brickwork. The orders should be revisited to balance any clashes between horizontal and vertical and the facades should be more solid with greater

expression to the recessed balconies, perhaps by using a darker colour. Currently the brickwork looks mean on the towers and instead it should play a much more important part. This could be strengthened by pairing windows to increase the solid areas. The Panel also encourage the incorporation of a stronger, more robust top to the towers.

The Panel encourage more variation between the towers and the lower blocks and suggest a different design or colour to the balustrades on the lower blocks to create this distinction.

Summary

The Panel encouraged the architects to be bolder in their architectural conviction of what works and looks best and not to try and keep responding to layers of comments. These two towers are the iconic elements of the masterplan and their design needs to be better than the ordinary. Whilst the current proposals are underwhelming, the Panel expressed confidence in the design abilities of architects to amend the design as the unique quality of their architecture will be rewarded in their long term value to the townscape, future residents and ultimately Hackney as the developer.

Officer's Comment: Following the Design Review Panel, several options were explored with the applicants, including a new crown to H5 and H6, new arrangements for the base of the towers and alternative facade treatments. The amended design of the proposed development is considered in the report that follows.

4.6.2 Hackney Swifts Society:

No objection. We welcome the proactive inclusion of biodiverse roofs. Bird and bat boxes should be included as part of the development.

Officer's Note: Condition 17 of the hybrid permission under 2018/0926 requires details of biodiversity enhancements, including bird and bat boxes, to be submitted for approval prior to the occupation of each phase of the scheme. This condition remains in effect.

4.7 Council Departments

4.7.1 Building Control:

No objection to the submitted Fire Strategy. A condition should be used to require compliance with the details and measures set out in the strategy and to require further (Stage 4) details to be provided post-permission.

4.7.2 Air Quality:

No objection to the submitted details. A similar compliance condition to that approved for the hybrid permission should be used, to ensure the measures outlined are undertaken.

4.7.3 Waste:

No objection to the submitted details, following the submission of a swept path analysis by the applicants. We note the points around the bin store capacities being designed around the Council guidance which was in place in 2018, when the Council received plans for the overall masterplan for Britannia, but not the revised guidance which pre-dated this application for the H3-H6 buildings. We note the space constraints on the site and competing infrastructure pressures mean that the bin stores would provide 48 eurobins (in

line with 2017 guidance) and not the 66 eurobins which would be required to be in line with 2020 guidance. Whilst we have concerns that this brings some risk of bins being overfull, we would not oppose the plans based on this due to this development being part of an overall plan broadly developed when a different set of guidance was in place. We would only ask that the building management company would work with us in the event of us needing to review the provision in place (including the ratio of recycling bins to waste bins) in order to utilise the spaces effectively.

It would be for the occupants of the commercial units to agree collection frequencies with their commercial provider which enabled commercial waste and recycling to be fully contained between collections.

Access to the bin stores appears to be reasonable for residential and commercial units planned. All residential units would be within 25 metres of a bin store.

We note that collections by our crews would take place via one loading bay on Pitfield Street (serving the bin store for H6) and another on Northport Street (serving H3 and H5). We note that due to the limited space available in the H4 bin store, the onsite building manager would rotate bins and move full ones to H3 for collection. Drag distances will be less than 10 metres. This all appears to be reasonable.

Our Operations Teams would require 4 copies of any keys needed to access the stores. This could be arranged through contacting waste.operations@hackney.gov.uk. We note that there would be electronic barriers on the new section of Northport Street, operated by the building management company and leisure centre operator. The barriers would need to be openable for our vehicles at all times.

4.7.4 Highways:

Object to the underprovision of cycle parking. All other aspects acceptable, in line with the outline permission and are considered acceptable.

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
LP5	Strategic and Local Views
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
- LP12 Housing Supply
- LP13 Affordable Housing
- LP14 Dwelling Size Mix
- LP24 Preventing the Loss of Housing
- LP26 New Employment Floorspace
- LP27 Protecting and Promoting Office Floorspace in the Borough
- LP31 Local Jobs, Skills and Training
- LP36 Shops Outside of Designated Centres
- LP37 Small and Independent Shops
- LP38 Evening and Night Time Economy
- LP41 Liveable Neighbourhoods
- LP42 Walking and Cycling
- LP43 Transport and Development
- LP45 Parking and Car Free Development
- LP46 Protection and Enhancement of Green Infrastructure
- LP47 Biodiversity and Sites of Importance of Nature Conservation
- LP48 New Open Space
- LP49 Green Chains and Green Corridors
- LP50 Play Space
- LP51 Tree Management and Landscaping
- LP53 Water and Flooding
- LP54 Overheating
- LP55 Mitigating Climate Change
- LP56 Decentralised Energy Networks (DEN)
- LP57 Waste
- LP58 Improving the Environment - Pollution

5.2 **London Plan (2021)**

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD10 Strategic and local regeneration
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D10 Basement development

- D11 Safety, security and resilience to emergency
- D12 Fire safety
- D14 Noise
- H1 Increasing housing supply
- H4 Delivering affordable housing
- H5 Threshold approach to applications
- H6 Affordable housing tenure
- H7 Monitoring of affordable housing
- H8 Loss of existing housing and estate redevelopment
- H9 Ensuring the best use of stock
- H10 Housing size mix
- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- S3 Education and childcare facilities
- S4 Play and informal recreation
- S5 Sports and recreation facilities
- E1 Offices
- E2 Providing suitable business space
- E9 Retail, markets and hot food takeaways
- E10 Visitor infrastructure
- E11 Skills and opportunities for all
- HC6 Supporting the night-time economy
- G3 Metropolitan Open Land
- G4 Open space
- G5 Urban greening
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- G8 Food growing
- SI 1 Improving air quality
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 6 Digital connectivity infrastructure
- SI 7 Reducing waste and supporting the circular economy
- SI 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
- T6.1 Residential parking
- T6.2 Office Parking
- T6.3 Retail 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):

Hackney Sustainable Design and Construction SPD (2014)
Hackney Planning Contributions SPD (2020)
Hackney Public Realm SPD (2012)
Hackney Child Friendly Design SPD (2021)
Hackney Shopfront Design Guide
Mayor's Housing SPD (March 2016)

5.4 National Planning Policies

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

6.0 COMMENT

6.1 Background

6.1.1 Planning Permission 2018/0926 was a hybrid application with full details submitted for phases 1a, 1b and 2a. The final phase 2b was submitted in outline only, and the Council was asked to consider parameters for building heights, footprints, unit numbers and floorspace limits only. The current application seeks to provide full details of appearance, precise layout and landscape (reserved matters), in line with that permission.

6.1.2 The details provided include those required by the following conditions of planning permission 2018/0926:

- 30 (Energy, Sustainability and Overheating)
- 36 (Phase 2b: Details of the (i) Appearance, (ii) Layout and (iii) Landscape)
- 42 (Statement of Conformity with approved 'Design Principles Version C' document)
- 43 (Daylight and Sunlight Report)
- 44 (Marketing Strategy for non residential floorspace)
- 45 (Wind Mitigation)
- 46 (Carbon Assessment)

6.1.3 As such, the principle of the development is established and the current proposal is as previously approved except in the additional details that are now provided. The assessment below therefore does not revisit the approved aspects of the scheme and is made in regard to the following planning considerations:

- 6.2: Detailed Design
- 6.3: Quality of Accommodation
- 6.4: Housing Mix

- 6.5: Impact to Amenity
- 6.6: Transportation
- 6.7: Sustainability
- 6.8: Waste Storage and Collection
- 6.9: Consultee Responses
- 6.10: Fire Strategy
- 6.11: Statement of Conformity with EIA
- 6.12: Community Infrastructure Levy

6.2 Detailed Design

6.2.1 Background

6.2.2 Condition 36 of the hybrid permission is as follows:

“The Details of the (i) Appearance, (ii) Layout and (iii) Landscape (as defined by the Town and Country Planning (General Development Procedure) Order 1995 (as amended) (hereinafter called “the Reserved Matters”) for phase 2B (as referred to in the submission documents) of the development shall be submitted to and approved in writing by the Local Planning Authority before the phase of development commences. The phase of development shall be carried out in accordance with the Reserved Matters as approved, unless otherwise agreed in writing by the Local Planning Authority.”

These details have been submitted with the application, as required by the condition.

6.2.3 The Parameter Plans approved under 2018/0926 set out key areas of the design, including development zones, building footprints, building heights and facade alignment. The outline consent also included a Design Principles document, which sets out how the detailed design should be worked up into a final scheme. The purpose of the Design Principles is to guide the detailed design in order to ensure the appropriate character, quality and richness is embedded in the final design. The principles provide certainty over commitment to high quality design and clarity over what constitutes an acceptable design. Condition 42 of the 2018 hybrid permission is as follows:

“Reserved Matters Applications for phase 2B (as referred to in the submission documents) shall include a statement outlining how the proposals have been designed to accord with the measures and requirements set out within the Design Principles Version C’ document. The statement shall be submitted to and approved in writing by the Local Planning Authority.”

6.2.4 The overarching design intent for the Britannia Masterplan is for a family of buildings that complement each other, whilst being individually distinct. This application includes the statement required by the condition and the acceptability of the designs is discussed in detail below.

6.2.5 Condition 39 of the 2018 hybrid permission states:

“Reserved matters applications for phase 2B shall accord with the height and building footprint parameters as set out with the hereby approved parameter plans and ‘Design Principles - Revision C’ document.

- 6.2.6 The massing of the proposed buildings is in line with the approved Parameter Plans, with H5 as the tallest element at 25 storeys (108.445m AOD), H6 at 20 storeys (92.695m AOD), H4 at 10 storeys (55.975m AOD) and H3 at 4 storeys (35.625m AOD). There are no amendments or deviations to the area of development or parameters which have been consented for these plots.
- 6.2.7 The potential for a basement underneath and partly between the blocks within the Parameter Plans has not been taken forward.
- 6.2.8 The detailed design of plots H3-H6 and the associated public realm surrounding the plots have been worked up in accordance with the Parameter Plans and the Design Principles document. As such, the requirements of these two conditions have been met and the detailed design of the development is considered in the paragraphs that follow.
- 6.2.9 A series of design workshops were held with the Local Planning Authority with a particular focus on the facade design for H5/H6. Following these workshops and advice from the Design Review Panel, a number of improvements were made, including a bolder design for the top of both towers along with a more robust and well integrated grid design to the facades.
- 6.2.10 Plots H3 and H4
- 6.2.11 *Appearance and Materials*
- 6.2.12 H3 and H4 are low and mid rise blocks respectively with the 10 storey block fronting Shoreditch Park and the lower block located slightly to the north. The blocks play a subordinate role to H5/H6 and mediate with the lower townscape to the north and west. Two brick types are proposed with the base of H4 having the same red brick tone as H3, thereby unifying the blocks. H4 is proposed in a light brown brick, which will complement the brickwork on H5/H6.
- 6.2.13 The facades are a composition of full height punched windows with either Juliet balconies or windows opening out to projecting balconies. Precast concrete elements and brickwork articulate the facades with bronze metalwork that is consistent between all four buildings to provide a sense of visual unity.
- 6.2.14 This simple palette of complementary, high quality materials and well-ordered design to the elevations is in line with the key design principles and both blocks are considered to be acceptable in design terms. Full details of materials along with detailed drawings and Mock-Ups will be secured by the recommended conditions.
- 6.2.15 *Internal Layout*
- 6.2.16 The internal layouts to H3/H4 have been designed in accordance with the key design principles. The buildings incorporate cores to the north with south-facing balconies and living areas. H4 also incorporates a number of east and west facing balconies. The number of single aspect units has been kept to a minimum with all living areas incorporating a corner aspect and all units having private amenity space. As is detailed below, the room sizes within each flat meet or exceed the Nationally Described Space Standards and the

internal layouts for both blocks are considered acceptable.

6.2.17 Plots H5 and H6

6.2.18 *Appearance and Materials*

6.2.19 In line with the Design Principles document, the facades of the high rise blocks are articulated with a clearly defined base, middle and top.

6.2.20 The base of the building is well defined with high quality, architectural precast concrete panels that complement the language and tone of the adjacent school and its colonnade.

6.2.21 The residential floors of the main middle section comprise a regular rhythm of brick faced and precast concrete panels. The vertical proportions are accentuated through the use of projecting expressed concrete elements, whilst a finer, horizontal grain is expressed through primary and secondary projecting and flush elements. This creates variations in depth to the facade, making it appear robust and well integrated. Windows are set within reveals and balconies are recessed within the volume of the buildings, lined with bronze metalwork panels and concrete soffits. Brickwork to both towers will be a warm, light tone complementary to the colour of the precast concrete and the brick tone of the adjacent school.

6.2.22 At the top of the building, the precast brick and concrete panels extend upwards to articulate the roofline and skyline with two bold crowns that also provide enclosure to the communal roof gardens.

6.2.23 The detailed design of H5 and H6 has created two robust, vertically proportioned towers with well integrated facades and high quality materials that complement the family of buildings within Masterplan. The design of the proposed towers is considered to be acceptable and full details of materials along with detailed drawings and Mock-Ups would be secured by the recommended condition.

6.2.24 *Internal Layout*

6.2.25 The internal layouts to H5/H6 have been designed in accordance with the key design principles. The central core maximises the facade area and dual aspect flats have been maximised with corner aspects to all living areas in order to improve views out. All residential units incorporate private balconies, which are recessed into the volume of the towers and in part reduce overlooking of the adjacent school. As is described below, the room sizes within each flat meet or exceed the Nationally Described Space Standards. At ground level, H5 and H6 are accessed via generous lobbies. Overall the entrance arrangements and internal layouts for both blocks are considered acceptable.

6.2.26 Townscape Impact and Built Heritage

6.2.27 The scheme will have a significant impact on the townscape within the area. The existing urban grain around Shoreditch Park predominantly consists of 1960s estates, apartment and tower blocks and a few Victorian terraces, but lacks a unified scale and character. The northern edge of Shoreditch Park has seen significant change and within this context, the

proposed development will reinforce the northern edge of Shoreditch Park. The clustering of high density developments together would define a new character area within the borough.

- 6.2.28 The application site is not located within a Conservation Area and does not contain any statutory listed buildings, however given the scale of the proposed development it has the potential to affect the setting of Conservation Areas and Listed Buildings in longer distance views and was therefore subject to a full townscape and built heritage assessment as part of the 2018 application.
- 6.2.29 Potentially affected heritage assets include: 78 Bridport Place and Shoreditch Park Primary School (locally listed); St John's Church, Hoxton (Grade II* listed); Hoxton Street Conservation Area; Geffrye Museum (Grade I listed); St Columba's Church (grade I listed); Kingsland Conservation Area; Regents Canal Conservation Area; Albion Square (grade II listed buildings and Conservation Area); De Beauvoir (Grade II listed buildings and Conservation Area); Arlington Square (Grade II listed buildings and Conservation Area); and East Canonbury Conservation Area.
- 6.2.30 The proposals were assessed against relevant national and local legislation, policy and guidance including Historic England Advice Note 4 Tall Buildings (Historic England, 2015) and on Historic Environment Good Practice Advice in Planning: 3 The Setting of Heritage Assets (Historic England, 2017). The applicant sought to minimise the impact on heritage assets by selecting a site for development which is some distance from many heritage assets, reducing the proximity and extent of visibility and therefore reducing harm. The proposed development was also subject to an iterative design review process which sought to identify and minimise the harm to the setting of heritage assets.
- 6.2.31 No harm was found to the majority of potentially affected heritage assets, including Shoreditch Park Primary School, Hoxton Street Conservation Area, St Columba's Church, The Geffrye Museum, Kingsland Conservation Area, Regents Canal Conservation Area, Arlington Square listed buildings and Conservation Area, Albion Square listed buildings and Conservation Area and East Canonbury Conservation Area. This is due to the fact that the development is either not visible, only marginally visible in these views, or visible alongside other modern buildings.
- 6.2.32 Less than substantial harm was found to the settings of a number of listed buildings and conservation areas; View 11 (St John's Church, Hoxton, Grade II*), View 19 (houses in Northchurch Road, Grade II) and View 29 (houses in Northchurch Terrace, Grade II), Views 19 and 29 (De Beauvoir Conservation Area, LBH) and View 22 (Arlington Square Conservation Area, LBI). However, this harm was considered to be outweighed by the considerable public benefits offered by the proposal.
- 6.2.33 As the detailed design of plots H3-H6 and the associated public realm is in accordance with the outline layout, appearance and landscaping details within the 2018 Parameter Plans and Design Principles document, there is considered to be no change to the townscape, visual impact and built heritage impacts. The proposals are therefore considered to have met the statutory tests in Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 along with the balancing test in paragraph 202 of the NPPF.

6.2.34 Site Layout and Landscape

- 6.2.35 The proposals have been developed in line with the key design principles, including those relating to minimum street widths. The key routes are Northport Street running north/south, linking Hyde Road with Shoreditch Park and Grange Street running east/west along the northern edge of the park.
- 6.2.36 Northport Street opens up views through to the park from the north and incorporates a broad footway protected from vehicles by planting and with pedestrian priority. A secure residential garden is provided between H3 and H4 with playspace, sensory planting and seating.
- 6.2.37 Grange Street incorporates planting and rain gardens along the edge of the park along with visitor cycle parking and signage at the junction with Northport Street.
- 6.2.38 Roof level gardens are provided at the top of H5 and H6, which provide a secure garden space accessed from the main cores. Seating is provided in sheltered locations with south facing terraces and biodiverse roofs to the north.
- 6.2.39 In terms of landscaping, hard surfacing will comprise aggregate concrete and areas of large and small slabs of natural stone. Street trees will be provided between plots and along Northport Street and Grange Street, along with numerous small, medium and ornamental trees across the site. Further planting will be provided via rain gardens, sensory planting, biodiverse plants and draught tolerant plants. The Urban Greening Factor, which measures the quantity and quality of urban greening in new developments, is 0.38, which is slightly under the 0.4 threshold, but considered acceptable.
- 6.2.40 The layout and landscaping details are therefore considered to be satisfactory, subject to further details, which will be provided by condition.

6.2.41 Detailed Design Conclusions

- 6.2.42 The detailed design for plots H3 - H6 along with the surrounding public realm has been carefully worked up within the approved Parameter Plans and in accordance with the Design Principles document. The new buildings represent high quality design, which tie in with the overarching design intent of providing a family of complementary buildings across the masterplan site. The buildings are well designed with robust facades and high quality materials. The proposals remain acceptable in terms of impacts to townscape and built heritage. The internal layouts for all of the plots have been designed in accordance with the design principles, single aspect units have been minimised and corner aspects incorporated to all living areas. All residential units incorporate private amenity space. The landscaping offer provides two generous pedestrian priority routes through the site, along with street trees, planting, play spaces and private gardens for residents. The proposed detailed design is therefore considered to be acceptable and full details of outstanding matters such as materials and Mock-Ups will be secured by condition.

6.3 Standard of Accommodation:

- 6.3.1 New residential developments are expected to provide a good standard of amenity for future occupiers and demonstrate compliance with the minimum floorspace standards of London Plan policy D6 and the requirements of the Mayor's Housing SPG. LP33 policy LP17 references these standards.
- 6.3.2 Condition 41 of the hybrid approval states:
“Reserved Matters Applications for phase 2B (as referred to in the submission documents) shall demonstrate that all of the residential units hereby approved will be designed and constructed as far as practicable to meet the standards contained within the Mayor of London Housing SPG and Nationally Described Space Standards.”
- 6.3.3 In terms of overall unit size, nearly all prospective flats meet the minimum overall floorspace and headroom standards in the National Technical Housing Standards. There is one unit per floor of the H6 building (19 units in total) which would have a double bedroom (1b2p) with a floorspace of 45m², 6m² short of the overall space required by those standards. This is considered acceptable in this instance, since it is a low proportion of the total units proposed and given the overall benefits of the approved development. The plans show these units as 1b1p and it is noted that they meet the target area for studio units (39m²), save for the partition wall between the bedroom and living room, the removal of which is considered unnecessary. The units are well laid out, with open plan Living/Kitchen/Dining areas and adequate internal storage space. The proposed level of floorspace will therefore provide acceptable living conditions for future residents.
- 6.3.4 London Plan policy D6 requires residential units to provide a good standard of internal amenity with appropriate levels of floorspace, light, ventilation and outlook. In terms of residential layout, all habitable rooms are served by at least one window.
- 6.3.5 The majority of the units are dual aspect (92%), with the remaining single aspect units being south facing. Condition 43 of the outline permission states:
Reserved Matters Applications for phase 2B (as referred to in the submission documents) shall include a daylight and sunlight report, detailing the level of daylight and sunlight received by all new residential units and impact on daylight and sunlight to existing buildings, shall be submitted to and approved in writing by the Local Planning Authority.

The submitted Average Daylight Factor (ADF) results show 936/976 (96%) of habitable rooms will achieve the minimum recommended ADF targets for their relevant room uses. This includes all of the studio units. The remaining 4% of rooms are somewhat affected by the balconies that overhang their windows but at none of these rooms is there a significant divergence from target levels. 297 of the 431 southerly orientated habitable rooms (69%) will meet the BRE recommended sunlight levels (25% APSH of annual and 5% of winter)

- 6.3.6 These internal daylighting and sunlighting results are considered acceptable, reflective of well laid out units and the provision of overhanging balconies, which have their own amenity value.
- 6.3.7 In terms of private residential amenity space provision, the proposal is considered to meet the requirements of London Plan policy D6. All dwellings are provided with balconies that are

adequately sized, practical in respect of their shape and utility and which are considered to offer good amenity.

- 6.3.8 Overall, it is considered that a good standard of accommodation is proposed, in line with the requirements of regional and national policy.

Accessibility of Residential Units:

- 6.3.9 London Plan policy D6 seeks to achieve the highest standards of accessible and inclusive design. To ensure a fully accessible environment, London Plan policy D7 requires 90% of all new housing to be built to the nationally described housing standard Building Regulations M4 (2), which replaced Lifetime Homes standards. The remaining 10% of the residential units should be wheelchair user dwellings, either Building Regulations M4 (3)(a) wheelchair adaptable and/or M4 (3)(b) wheelchair accessible.
- 6.3.10 Information has been submitted within the application illustrating all units are designed to comply with Building Regulations M4 (2) standards. 10% would be Building Regulations M4 (3)(a) wheelchair adaptable, in line with the standards, and a condition is recommended in this regard.
- 6.3.11 Secure by Design:
- 6.3.12 No consultee comments have been received from Secure by Design officers during the course of this application, so the two Secure by Design conditions from the hybrid permission have been recommended, amended as appropriate, to ensure details are provided at the next stage.
- 6.3.13 In light of the above, the proposed development is deemed to provide a high standard of residential accommodation for prospective future residents and is subsequently deemed to meet the requirements of LP33 policies LP1, LP17, LP48 and LP50, London Plan policies D6 and D7 and the Mayor's Housing SPG.

Class E Floorspace

- 6.3.14 Class E floorspace is proposed at ground floor level of buildings H4 and H6. These spaces would be served by good levels of natural light, are flexible by nature of their use and are capable of subdivision, thereby suitable for a wide range of occupiers. They are considered acceptable in respect of the quality of floorspace they would provide.
- 6.3.15 Condition 44 of the hybrid permission states that:
“Reserved matters applications for phase 2B shall include a marketing strategy for non residential floorspace which should show how commercial leasing is being approached to ensure maximum benefit to surrounding regeneration projects and the local community.”

The submitted Marketing Strategy shows that the proposed space would have a good chance of occupation. It recommends that the Council, as landlord, uses its position to develop “a shorter-term approach which is more focused on supporting businesses and social value returns, in order to develop a sense of place, before moving from a break-even

model to a profit generating model for the council.” This hybrid approach would involve community-give back businesses being prioritised within the first years of the development, with a focus towards supporting these businesses to grow and develop. As the development matures, the suggestion is that rents could increase to a profit-making model, involving the existing, now established, businesses, or others to take their place. As such, the Marketing Strategy is detailed and thorough and is considered to meet the requirements of the condition.

Communal Amenity Space:

6.3.16 Communal terraces are proposed for residential occupants of H5 and H6 at roof level. A communal garden with playspace is proposed between H3 and H4 at ground floor level. The level of communal space across the site was agreed at the time of the hybrid permission, the Unilateral Undertaking for which included Highways Works to the public realm. The detailed designs for these proposed communal spaces are considered acceptable, as assessed above.

Standard of Accommodation Conclusions:

6.3.17 For these reasons, the proposed standard of accommodation for future residents and employees is considered to be acceptable.

6.4 Housing Mix

6.4.1 387 units are proposed across the four blocks subject to this reserved matters application. This is in line with condition 38 of the hybrid permission, which states:

“Reserved matters applications for phase 2B (as referred to in the submission documents) shall not exceed 388 residential units or 36,915sqm in floorspace, unless otherwise agreed in writing with the Local Planning Authority.”

6.4.2 Condition 40 of the hybrid permission states:

“Reserved matters applications for phase 2B (as referred to in the submission documents) shall provide the mix of unit sizes in accordance with the following parameters:

	1 bed	2 bed	3 bed or more
Market (Parameter)	195 units	178 units	15 units
+or-	20%	+or- 10%	No maximum”

6.4.3 The proposed housing mix provides:

Proposed				
	Studio/ 1 Bed	2 Bed	3 Bed	Total
Private	181	182	24	387
(%)	47%	47%	6%	

6.4.4 The proposed housing mix is therefore in line with the outline permission. The housing mix for these buildings forms part of the wider permission and is considered acceptable.

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 The amenity impacts of the development were found acceptable at the time of the hybrid permission but two conditions were added in respect of the reserved matters, relating to daylight/sunlight and wind. These two elements are therefore considered below, following further submissions by the applicants in relation to the conditions.

6.5.3 *Daylight/Sunlight impacts.*

6.5.4 Condition 43 of the hybrid planning permission states
*“Reserved Matters Applications for phase 2B (as referred to in the submission documents) shall include a daylight and sunlight report, detailing the level of daylight and sunlight received by all new residential units and **impact on daylight and sunlight to existing buildings**, shall be submitted to and approved in writing by the Local Planning Authority.”*

6.5.5 As per the hybrid permission, the submitted Daylight/ Sunlight report has regard to the Vertical Sky Component (VSC), No Sky Line (NSL) and the Annual Probable Sunlight Hours (APSH).

6.5.6 The approved outline massing represents the maximum that could be allowed and, as such, a ‘worst case scenario’ in respect of daylight/sunlight impacts. The refined massing presented in the current application is shown by the submitted Daylight/Sunlight report to have a reduced impact on the amenity of surrounding neighbours.

6.5.7 For example, the rate of compliance with the BRE targets for VSC would increase from 61% (as consented) to 66%. Similarly, the rate of compliance with the BRE targets for NSL would also increase, from 87% (as consented) to 88%. For both VSC and NSL, the overall severity of impacts on individual windows show improvements from the consented position.

6.5.8 At the time of the hybrid permission, the impacts to the daylight of Nos. 35 and 37-43 Gopsall Street were assessed as being the most significant. It is noted that these properties have seen the most significant improvements to the approved outline position, involving increases of up to 2.2% VSC, for example. While these results are relatively marginal, they

reinforce the findings of the 2018/0936 committee report, that the impacts to the daylight of surrounding properties should be considered acceptable.

6.5.9 In terms of sunlight, the submitted report shows a similar improvement to the results of APSH, when compared to the outline scheme. The improvement is again marginal, showing for example a change in the percentage of windows that meet BRE target values from 91% (as consented) to 92%. There are also reductions to the severity of the overall impacts, such as a reduction in the number of windows that would experience a >40% reduction in total APSH from 17 to 13.

6.5.10 For these reasons, the impact on the daylight and sunlight experienced by surrounding properties is considered to be acceptable. The submitted report shows an improvement on the impacts that were considered acceptable at the time of the hybrid permission and the purpose of condition 43 of that approval is met.

6.5.11 Wind

6.5.12 Condition 45 of the outline permission states:

“Reserved matters for phase 2B shall include details of wind mitigation, showing how strong wind occurrences can be reduced, as demonstrated by wind tunnel testing and with reference to the Lawson Comfort Criteria. The proposed measures shall be installed prior to occupation and retained and maintained thereafter.”

6.5.13 A Wind Assessment has been submitted. This report establishes that, wind levels at ground level near building entrances and the adjacent public realm are expected to be suitable for sitting, standing and strolling use even during the windiest season (which are the activities which require the least windy environments according to the Lawson Criteria). It therefore demonstrates that the proposed towers would not have a significant impact on the wind experienced in the environs.

6.5.14 Landscaping at the crown of the two towers has been designed to minimise the effects of wind. As a result, there are no surrounding areas that would be uncomfortable for strolling, even in the windiest season, and the great majority of surrounding areas would be suitable for sitting at that time. In the summer season, there would be no neighbouring areas not suitable for standing and only a few pockets that would be uncomfortable for sitting. These results are considered acceptable.

6.5.15 Proposed balconies and roof level terraces on the proposed buildings are shown to have good conditions in relation to wind, with sitting or standing use wind conditions during the summer season at private amenity spaces such as balconies.

6.5.16 An objection to the scheme has been received stating that the wind report does not pay sufficient regard to the impact of wind on use of the park. However, the analysis carried out includes several reference points within the park

6.5.17 Conclusion on Amenity Impacts

6.5.18 The amenity impacts of the development were approved at the time of the hybrid

permission, aside from the approved conditions in relation to daylight/sunlight and wind. The further submissions for this application on these two aspects show that the amenity impact of the application should still be considered acceptable, subject to a condition that requires the landscaping at the roof of buildings H5 and H6 to be completed to include the wind mitigation measures shown on the documents hereby approved.

6.6 Transportation

- 6.6.1 In most respects the application is in line with the hybrid permission. Relevant conditions from that permission remain in effect but it is recommended that they are duplicated in this permission, for clarity, albeit that they should be amended to refer to phase 2b only. Those conditions relate to a Demolition and Construction Management Plan and a Delivery and Servicing Management Plan. There is no blue badge parking proposed within the bounds of Phase 2b, as this is being dealt with by the Highways Works committed to in the Unilateral Undertaking to the hybrid permission. A Travel Plan is also included within the Unilateral Undertaking to the hybrid permission.
- 6.6.2 Cycle Parking
- 6.6.3 London Plan policy T5 (Cycling), Local Plan 2033 policy LP42 (Walking and Cycling) and the Hackney Sustainable Transport SPD all require good levels of well designed, secure and convenient cycle parking to encourage many of the local trips generated by the proposed development to be made by bicycle.
- 6.6.4 The proposed cycle parking is in line with the hybrid application. During the pre-application discussions with the applicant it was noted that it includes a reliance on vertical cycle stores within the residential units and that the expected quantum of cycle parking is only met once those vertical stores are included. In line with the Borough's expectations on the accessibility of cycle storage, it is considered inappropriate to include these in-flat vertical cycle stores within the calculations of the overall quantum of provision. As such, though this arrangement was agreed for buildings H1 and H2 at the time of the hybrid permission and was implied for the Phase 2b buildings because of the way they were designed, these vertical cycle stores have been excluded from the calculations, which leads to an underprovision of residential cycle spaces of 225. The vertical cycle stores are an additional offer, rather than one that affects this underprovision.
- 6.6.5 The underprovision of cycle parking assessed against Hackney's policy targets has drawn objection from the Borough's Highways team.
- 6.6.6 As this underprovision of accessible residential cycle spaces was noted at pre-application stage, intensive work was carried out with Transport Officers to optimise the provision within the space available. The outline permission for these buildings creates considerable constraints but the aim has been to maximise the number of accessible spaces while balancing this against the overall quantum of provision. As a result of this work, the number of spaces provided via Sheffield stands has increased from 39 to 193 and the number of horizontal spaces (as opposed to vertical spaces) within apartments has increased from 0 to 78.

- 6.6.7 Within the constraints of the permission the arrangement currently proposed is considered to be the best balance achievable between the overall quantum of provision and the accessibility of the proposed spaces. As such, the proposed residential cycle spaces are considered to be in line with the outline permission and the assessments made at that time.
- 6.6.8 It is noted that the provision of visitor spaces is considerably under the number of spaces that would be expected of a scheme of this size. On the basis that one visitor space is expected per ten bedspaces, in the Sustainable Transport SPD, this would lead to a requirement for 115 visitor spaces within the landscaping of the Phase 2b site, or wider site. Nevertheless, it is accepted that the amount of space within the site is not sufficient to allow the provision of this level of visitor spaces without considerably degrading the proposed public realm. The applicants have proposed 14 visitor spaces within the Phase 2b site area. These are in addition to the 128 visitor spaces for the leisure centre and 4 for the school.
- 6.6.9 The applicants are in discussion with Council departments in respect of providing further visitor and residential cycle spaces in the public realm surrounding the development. The Travel Plan monitoring commitment would enable the usage of the spaces to be assessed over time. They have stated:
- “The Britannia Project are committed to working with the relevant council departments to take a holistic approach to cycle parking across the uses within the Britannia Project, Shoreditch Park and the wider context and to mitigate any impacts of the lower provision from Phase 2B of this project.”
- This is outside the scope of this application, since the proposed levels of cycle parking are resultant of the constraints imposed by the hybrid permission and there is no separate legal agreement with this application to secure funding for any highways works. Nevertheless, the commitment is noted and would be subject to public scrutiny as the use of the site develops and the need for any necessary mitigation measures, such as further on-street residential or visitor cycle parking, becomes apparent.
- 6.6.10 For these reasons, despite the underprovision of residential and visitor cycle parking against current Hackney policy targets, the cycle parking of the proposal is considered to be in line with the assessment made at the time of the hybrid permission, to be the optimal solution given the constraints of that permission, and to be acceptable in these terms.
- 6.6.11 Transport Conclusions
- 6.6.12 The proposal is considered acceptable, subject to the recommended conditions and the conditions of the hybrid permission and its attached Unilateral Undertaking.

6.7 Sustainability and Biodiversity

- 6.7.1 The measures designed to ensure the sustainability of the development were approved under the hybrid permission. A condition (30) requiring compliance with the Energy, Sustainability and Overheating report approved at that time was added to the hybrid permission and remains in effect. The Borough has employed external consultants to review the updated Energy, Sustainability and Overheating report (Revision P04) submitted with this application and they have found no overriding compliance issues which would prevent the determination of the planning application. As such, a condition is recommended that requires details to be submitted prior to the commencement of Phase 2b, that will show

compliance with the findings of that document. This will ensure that the proposed Air Source Heat Pumps and photovoltaic panels are installed.

- 6.7.2 In addition, condition 46 of the outline permission requires the following additional information at this stage:
- “Prior to commencement of phase 2B a carbon assessment for phase 2B outlining the residential and non-residential carbon reductions to a minimum of 35% improvement on Part L 2013 Building Regulations Target Emission Rate (“TER”). Any shortfall to 35%, through on-site measures, for nonresidential and to Zero carbon (up to 100%) for residential elements will either be offset through a payment in lieu to the London Borough of Hackney at £60 tonne CO₂ over 30 years and/or through carbon offsetting schemes directly identified by the applicant. The development shall thereafter be implemented in accordance with this assessment.”*
- 6.7.3 The submitted Energy report states that the buildings of Phase 2b are expected to achieve a 35.56% CO₂ reduction with standalone ASHP and solar PV panels, in line with the requirements of the condition. This results in a carbon offset payment of £693,642 as a cash in lieu payment to comply with GLA Zero Carbon Homes Policy. review by the external consultants has asked. However, the Unilateral Undertaking under the hybrid permission caps the figure to be required at this stage at £418,332, in line with the assessment at that time. There is no additional legal agreement for this reserved matters application, so £418,332 is the required offsetting payment.
- 6.7.4 The external consultants employed to review the energy and sustainability documents submitted with this application have requested further information in order to clarify some of the findings. It is anticipated that this will not require any further action, beyond the submission of these clarifications but should any further condition be necessary to ensure the sustainability credentials of the submission, it will be noted in the addendum to this report.
- 6.7.5 For these reasons, the proposal is considered to be in line with the requirements of condition 46 of the outline permission and to be acceptable, subject to the aforementioned condition requiring compliance with the submitted Energy, Sustainability and Overheating report and any additional information to be provided within the addendum.
- 6.7.6 Policy G7 (Biodiversity and access to nature) and G7 (Trees and Woodland), along with Local Plan 2033 policies LP47 (Biodiversity and Sites of Importance of Nature Conservation) and LP51 (Tree Management and Landscaping) stress the importance of trees and biodiversity. Since the time of the application, policy has stressed the need for a net gain in the biodiversity and for an Urban Greening Factor (UGF) of 0.4 for predominantly residential development. Despite the fact that this application predates these requirements, there would be a net gain in biodiversity at the site, with tree planting, rain gardens and biodiverse roofs proposed and a UGF of 0.38 is achieved, only marginally below the target figure. Along with the aforementioned landscaping condition, a further condition is recommended, in line with the 2018 hybrid permission, to provide further details of the biodiversity enhancements proposed, to include measures such as bird and bat boxes and wildlife planting. As such, the proposal is considered in line with the outline

permission and to be acceptable in respect of biodiversity, subject to the recommended conditions.

6.8 Waste Storage and Collection

- 6.8.1 The proposed bin stores would provide 48 eurobins (in line with 2017 guidance) and not the 66 eurobins required to be in line with 2020 guidance. This is considered acceptable, subject to the recommended condition requiring a waste strategy, to ensure the building management company would work with the Council to review the provision in place (including the ratio of recycling bins to waste bins) in order to utilise the spaces effectively. This would also involve the provision of bin store keys to the Council's Operations Team and would ensure that the onsite building manager would rotate bins and move full ones from H4 to H3 for collection. These arrangements have been reviewed by the Council's Waste Team and are considered acceptable, subject to the condition.

6.9 Consultee Responses

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

- Neighbours should be given more time to respond to the consultation;
Officer's Response: The application had a standard 21 consultation period but we have considered and will consider any consultee responses received to the point of the presentation to the planning sub-committee.
- There are too many documents to look at;
Officer's Response: The submission is complex but the number of documents submitted is proportionate to the scale of the application.
- Loss of open space;
Officer's Response: The parameters of the proposal, including the footprints of the proposed buildings, were agreed at the time of the hybrid permission. There is no additional loss of open space as a result of this application.
- Shortage of cycle parking must be addressed without utilising space in the park for apartment inhabitants' bikes;
Officer's Response: The proposed levels of cycle parking are assessed above. There is no proposal for utilising the park for cycle parking.
- If Bus Route 21 is changed (removed and replaced with a shorter version of the 271 per current proposal by TfL), there will be even less public transport access to the development;
Officer's Response: Although TfL may alter public transport routes throughout the lifespan of the development, the number of proposed residents is as previously approved. As such, this would not be a reason to refuse the proposed development.

- It is not clear how much Council money is at risk from the development;
Officer's Response: This is a matter for consideration by other Council departments, rather than a reason to refuse the proposed development on planning grounds.
- Consultation letters should be sent to users of the Leisure Centre and pupils/ parents/ teachers at the school;
Officer's Response: Consultation letters are sent to the occupiers of premises, who may choose themselves what to do with the information. Users of facilities are informed by the neighbouring site notices and the press notice.
- Given the Secretary of State's decision to prohibit construction of Phase 2a, this application should consider where to put the Affordable Housing that formed part of that phase.
Officer's Response: The hybrid permission is extant and the applicants are entitled to seek approval of the reserved matters, irrespective of the deliverability of the project. Moreover, this application must be assessed on its own merits.

Equally, the location of Affordable Housing in the wider development has not yet been finalised but there is a commitment in the Unilateral Undertaking to the outline/hybrid permission that it will be provided. As such, once the position in regard to Phase 2a is finalised, further submissions may, or may not, be forthcoming, depending on the situation that has been clarified at that time. As such, it is not a matter that needs to be considered within this application, which conforms to the position approved at the time of the outline/hybrid permission.

6.10 Fire Strategy

- 6.10.1 Policy D12 of the London Plan has been adopted since the time of the hybrid permission and requires a Fire Statement to be submitted for major development proposals. The applicant has submitted a Fire Strategy in support of the application. This has been reviewed by the Borough's Building Control Team and has been found acceptable. A condition has been recommended to ensure compliance with the details and measures required by that document and to require further details prior to the occupation of the buildings.

6.11 Statement of Environmental Impact Assessment (EIA) Conformity

- 6.11.1 The Applicant has commissioned Trium to provide a Statement of Environmental Impact Assessment (EIA) Conformity in respect of the RMA consisting of residential plots H3-H6. The submitted document shows that the detailed design of residential plots H3-H6 does not have a material effect on the assessments contained within and conclusions of the March 2018 Environmental Statement. As such, this aspect of the proposal is considered acceptable.

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 non-residential uses).
- 6.12.2 Mayoral CIL 2: 34344sqm x £60 = £2,060,640
Hackney Zone A CIL: 34029sqm (residential only) x £190 = £6,465,510
- 6.12.3 This total of £8,526,150.00 is subject to indexation and may be revised at the point of implementation.

7. CONCLUSION

- 7.1 The reserved matters from the hybrid permission under 2018/0926 included the appearance, layout and landscaping for Plots H3/H4/H5/H6 and the proposal is considered to address these matters successfully, providing a high quality design that takes into account the character and appearance of the surrounding area, the amenities of neighbouring occupiers and residents and all other relevant considerations.
- 7.2 The proposal is deemed to comply with the parameters of the outline permission previously approved, along with pertinent policies in the Hackney Local Plan (2020), London Plan (2021) and NPPF for the reasons set out above. Accordingly, the granting of permission for these reserve matters is recommended, subject to the recommended conditions.

8. RECOMMENDATIONS

Recommendation A

- 8.1 That reserved matters approval be GRANTED (pursuant to condition 36 of permission 2018/0926), and conditions 30, 42, 43, 44, 45 and 46 of permission 2018/0926 be discharged, subject to the following conditions:**

8.1.1 Commencement

This phase (Phase 2b) of the development, hereby permitted, must be begun not later than two years after the date of this permission.

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

8.1.2 Development in accordance with plans

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

details.

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

8.1.3 Development in accordance with energy, overheating and sustainability strategy

The measures identified in the submitted Energy, Overheating & Sustainability Statement Rev P04, including potential for a future connection to a combined Colville Estate / Britannia heat network shall be incorporated prior to occupation of the development. In addition, within one year of notification that the Colville Energy Centre is fully operational the development shall be connected to this network.

REASON: In order for the development to demonstrate an adequate response to climate change and climate change adaptation.

8.1.4 Delivery of measures outlined in air quality

The mitigation measures identified in the air quality chapter of the Energy, Overheating & Sustainability Statement Rev P04 hereby approved shall be incorporated prior to occupation Phase 2b of the development and shall be retained and maintained in this condition thereafter.

REASON: In order for the development to demonstrate an adequate response to climate change and climate change adaptation.

8.1.5 Archaeology

A) No development of Phase 2b shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the local planning authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) Phase 2b of the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON: To secure the provision of archaeological investigation and the subsequent recording of the remains prior to.

8.1.6 Demolition and Construction Management Plan

Prior to commencement of phase 2b a detailed Demolition and Construction Management Plan covering the matters set out below shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be

implemented in accordance with the details and measures 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 covering the relevant phase of the development to include details of noise control measures and measures to preserve air quality (including a risk assessment of the demolition and construction phase);
- b) A demolition and construction waste management plan setting out how resources will be managed and waste controlled at all stages during a construction project, including, but not limited to, details of dust mitigation measures during site clearance and construction works (including any works of demolition of existing buildings or breaking out or crushing of concrete), the location of any mobile plant machinery, details of measures to be employed to mitigate against noise and vibration arising out of the construction process demonstrating best practical means
- c) Details of the location where deliveries will be undertaken; the size and number of lorries expected to access the site daily; the access arrangements (including turning provision if applicable); construction traffic routing; details of parking suspensions (if required) and the duration of construction
- d) Compliance with Non Road Mobile Machinery (NRMM) regulations

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

8.1.7 Sustainable Urban Drainage

Prior to the commencement of Phase 2b full details, including design calculations and construction details of the (sustainable) drainage systems including the green roof (with substrate depth of at least 80mm not including the vegetative mats), porous surfacing, rain gardens, underground attenuation system, swales, podium green space and the flow control systems shall be submitted and approved by the LPA for each phase in consultation with the SuDS officer. No discharge of surface water from the site shall be allowed until the drainage works referred to in the Flood Risk Assessment by Buro Happold Engineering approved in the hybrid application 2018/0926 and the subsequent approved details have been completed for each phase.

REASON: To ensure that the proposals do not increase flood risk in the surrounding area. The condition is required to be discharged pre-commencement as the strategy may require rainwater attenuation measures which need to be incorporated into the design of the proposals at the outset.

8.1.8 Assessment of Land Contamination

Prior to the commencement of Phase 2b, an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:
human health,
property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
adjoining land,
groundwater and surface waters,
ecological systems,
archaeological sites and ancient monuments.

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

8.1.9 Contaminated Land remediation scheme

Prior to the commencement of Phase 2b, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

8.1.10 Crossrail Method Statement

No development of Phase 2b, which sits above the Crossrail 2 safeguarding area, shall be commenced until detailed design and method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:

- (a) Accommodate the proposed location of the Crossrail structures and tunnels,
- (b) Accommodate ground movement arising from the construction thereof, and
- (c) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels.

The method statements to be submitted under this condition shall include arrangements to secure that, during any period when concurrent construction is taking place of both the development hereby permitted and of the Crossrail structures and tunnels in or adjacent to the site of that development, the construction of the Crossrail structures and tunnels is not impeded. The development shall be carried out in all respects in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs (a) to (c) of this condition shall be completed, in their entirety, before any part of the buildings hereby permitted are occupied.

REASON: To ensure that the development hereby approved does not have a detrimental impact upon the provision of public transport infrastructure.

8.1.11 Tree protection condition

A detailed Arboricultural Method Statement and Tree Protection Plan detailing how foundation construction techniques will safeguard the Root Protection Areas of nearby trees and how they will be protected during construction, shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of Phase 2b. The measures identified in the Method Statement shall be implemented in full during the construction works associated with the development.

REASON: In order to safeguard the trees which are an important amenity feature in the surrounding area.

8.1.12 Details of Hard and Soft Landscaping

A hard and soft landscaping scheme for Phase 2b, illustrated on detailed drawings, shall be submitted to and approved by the Local Planning Authority, in writing, prior to completion / occupation of the development . Details shall include:

- Details of biodiverse green roofs
- Details of public realm enhancements and the hard and soft landscaping associated with this
- Details of tree planting
- Details of street furniture and lighting
- Details of boundary treatments
- Details of play equipment

All landscaping in accordance with the scheme, when approved, shall be carried out within a period of twelve months from the completion / occupation date or shall be carried out in the first planting (and seeding) season following completion of the development, and shall be maintained to the satisfaction of the Local Planning Authority for a period of five years, such maintenance to include the replacement of any plants that die, or are severely damaged, seriously diseased, or removed.

REASON: To accord with the requirements of Section 197(a) of the Town and Country Planning Act 1990 and to provide reasonable environmental standards in the interests of the appearance of the site and area. To ensure that the development will have a microclimate that is suitable for pedestrian use. To ensure that the development will not have an adverse privacy impact upon the amenity of nearby residential uses.

8.1.13 Biodiversity enhancements

Prior to occupation Phase 2b, details of biodiversity enhancements to be incorporated within the buildings and surrounding public realm, to include measures such as bird / bat boxes and wildlife planting, along with measures to improve the Urban Greening Factor of the development, shall be submitted to the Local Planning Authority for approval. The

approved measures shall be installed prior to first occupation of Phase 2b and retained and maintained thereafter.

REASON: To ensure that the development takes the opportunities available to provide enhanced habitat opportunities to support biodiversity across the site.

8.1.14 Detailed elevation drawings

Prior to the commencement of above ground works for Phase 2b, detailed elevation and sections at 1:20 scale shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details as approved, unless otherwise agreed in writing with the Local Planning Authority.

- Window openings
- Facade details
- Balconies
- Balustrades
- Building entrances including service entrances
- Roof edge details
- Details of signage
- Lift overrun/plant housing
- Residential entrances
- Shopfronts
- Bin store enclosure
- Coping
- Boundary colonnades

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

8.1.15 Details of materials / Mock up panel

Prior to the commencement of above ground works for Phase 2b, full details and samples of all external materials including any window frames, doors, cladding panels, brick work, and/or balconies for Plots H3-H6 shall be assembled on site in the form of a mock up panel / bay detail or other form as agreed with officers for approval in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the details as approved, unless otherwise agreed in writing with the Local Planning Authority.

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

8.1.16 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.

REASON: To ensure that the development has a visual impact in line with the drawings hereby approved.

8.1.17 No visible or additional roof plant

No fixed plant or equipment shall be positioned on the buildings hereby approved, unless as otherwise shown on the drawings hereby approved. Any fixed plant and equipment shown on the roof plans hereby approved shall be located and installed so as not to be visible above the parapet of the building.

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

8.1.18 Contaminated land Validation report

The remediation scheme for Phase 2b shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

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

8.1.19 Waste Strategy

Prior to occupation of Phase 2b, a refuse strategy for that phase shall be submitted to and approved in writing by the Local Planning Authority. Refuse collection shall only be carried out in accordance with the details thus approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is satisfactorily served in terms of refuse collection and safeguard against the build-up of pollution.

8.1.20 Cycle parking

The cycle parking shown on the drawings hereby permitted shall be installed prior to the occupation of the residential units of Phase 2b and shall be maintained for the lifetime 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.

8.1.21 Piling method statement (sewage protection)

No piling shall take place for Phase 2b until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) for Phase 2b has

been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

8.1.22 Confirmation of water infrastructure

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

- all water network upgrades required to accommodate the additional flows from the development have been completed; or
- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development"

8.1.23 SUDS Verification

Prior to occupation of Phase 2b, evidence (including as-built drawings, photographs, post construction surveys) and a final completion statement signed off by an appropriate, qualified, indemnified engineer should be submitted showing that the sustainable drainage system for Phase 2b has been constructed as per the approved designs and in accordance with best practice.

REASON: To ensure that the proposals do not increase flood risk in the surrounding area.

8.1.24 Delivery Service Plan

Prior to occupation of Phase 2b, a Delivery Service Plan (DSP) shall be submitted for approval to the Local Planning Authority and the measures outlined within the DSP shall be implemented thereafter.

REASON: To ensure that the development can be adequately serviced without detriment to the amenity and highway safety of the surrounding area.

8.1.25 Secured by design

Prior to carrying out above grade works for each building hereby approved, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve 'Secured by Design' Accreditation. The development shall only be carried out in accordance with the

approved details.

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

8.1.26 Secure by design accreditation

Within three months of the first occupation of each building hereby approved, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

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

8.1.27 Plant and machinery

Prior to occupation of Phase 2b, details of external plant and machinery (if proposed), including information to assess potential noise disturbance from such plant, shall be submitted for approval by the local planning authority. The approved plant, machinery and acoustic mitigation (if any is required) shall thereafter be installed, retained and maintained in accordance with the approved details.

REASON: To ensure that the development does not detract from the appearance or amenity of the surrounding area.

8.1.28 Fire Strategy

Prior to the occupation of the development a Stage 4 Fire Strategy document shall be submitted to and approved in writing by the Local Planning Authority, building on the details and measures set out in the Fire Safety document (Reserved Matters: Fire Strategies for Buildings H3-H6 November 2021 by Buro Happold) and drawings hereby approved. The details and measures thereby approved shall be carried out in full and maintained to the satisfaction of the Local Planning Authority for the lifetime of the development.

REASON: To ensure that the measures outlined to mitigate the risks of fire remain part of the development as constructed and to ensure that further details are provided in regard to the fire safety of the development prior to any occupation of the buildings.

8.1.29 Wind Mitigation Landscaping

Prior to the occupation of the residential units hereby approved, the landscaping shown in Figure 47 in Appendix C of the Wind Microclimate Assessment hereby approved shall be completed on the roof of buildings H5 and H6. The landscaping shall be maintained as approved for the lifetime of the development, unless an alternative arrangement is approved in writing by the Local Planning Authority.

REASON: To ensure the amenity of existing and future neighbours and users of the park

in respect of wind.

8.1.30 Accessibility

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

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

8.1.31 Details of Soundproofing

a) Prior to the commencement of the relevant block, details of the proposed sound insulation scheme to be implemented between the residential accommodation and any non residential uses and between the ground floor and the basement car park shall be submitted to and approved by the Local Planning Authority. Details should include impact sound insulation.

b) The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

REASON: To protect the amenity of future occupants and/or neighbours

8.1.32 Hours of operation of Commercial units.

The uses within the Class E commercial units hereby permitted shall only operate between the hours of 0630 and 2200 Monday to Friday, 0800 and 2200 on Saturdays and 0800 and 2000 on Sundays or 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.

8.1.33 No Primary Cooking

Any use within the commercial units hereby permitted under Class E may 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 commercial units, so the restriction would ensure

that occupiers of neighbouring premises would not suffer a loss of amenity by reason of odour.

8.2 Recommendation B

That the Sub-Committee grants delegated authority to the Director of Public Realm and Head of Planning (or in their absence either the Growth Team Manager or DM and Enforcement Manager) to make any minor alterations, additions or deletions to the recommended heads of terms and 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. INFORMATIVES

It is recommended that the following informatives should be added to the decision notice:

NSI This approval should be read in conjunction with the hybrid approval under 2018/0926, which contains further conditions and the associated Unilateral Undertaking.

SI.2 Work Affecting Public Highway
SI.3 Sanitary, Ventilation and Drainage Arrangements
SI.6 Control of Pollution (Clean Air, Noise, etc.)
SI.25 Disabled Person's Provisions
SI.27 Fire Precautions Act
SI.28 Refuse Storage and Disposal Arrangements
SI.34 Landscaping
SI.45 The Construction (Design & Management) Regulations 1994
SI.48 Soundproofing

NSI Prior consent for construction from the Local Authority.

NSI A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before the

Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200..

NSI With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

NSI We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

NSI The applicant is advised to contact Network Rail in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; and construction methods.

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>	<p>Nick Bovaird (Senior Planning Officer – Major Applications) x8291</p>	<p>2 Hillman Street, London E8 1FB</p>

APPENDIX A – Hybrid Application S106 Heads of Terms

Affordable Housing

- 48 units to be social rent affordable housing (11x1 bed, 19x2 bed, 18x3 beds)
- 33 units to be intermediate affordable housing (16x1 bed, 17x2 beds)
- Viability review mechanism for different phases of development

Phasing of delivery

- No more than 12 private housing units to be occupied until the Affordable Housing, school and leisure centre have been provided

Open space improvements

- Financial contribution of £68,095 in lieu of providing under 5's play space within the H1 / H2 site. Contribution to be used for upgrade of the existing play area in Shoreditch Park. The trigger for this payment would be the commencement of H1 / H2 as this is about mitigating play space in these blocks rather more general improvements to the Park.

Education

- Financial contribution of £1,000,000 to Shoreditch Park School to mitigate the loss of play ground area as a result of the H1 / H2 block. Provision of early years facility.

Highways and Transportation

- Car Car-Free Agreement – to restrict residents and business occupiers of the development from obtaining parking permits to park in the surrounding CPZ bays.
- The owner shall be required to enter into an agreement under Section 278 of the Highways Act to pay the Council to undertake highway works to be confirmed through negotiation with the Council, the Developer and TfL: £128,115.
- Travel Plan (multiple travel plans for residential / school and leisure centre elements of the development), including financial contribution of £11,400 for monitoring.
- Financial contribution of £10,000 for provision of car club spaces / membership
- Financial contribution of £8,749 for the implementation and monitoring of the CLOCs' and CLP

Employment, Skills and Construction

- Employment and Skills Plan to be submitted and approved prior to implementation;
- Ways into work financial contribution: Employment and training - construction phase - £222,120; Employment and training - operational phase - £213,187 (Payments to be phased to correspond with each construction phase of development)
- 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 Contractor Scheme – the applicant to carry out all works in keeping with the National Considerate Contractor Scheme. A ways into work contribution payable prior to the implementation of the development:

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 Section 106_Agreement, payable prior to completion of the s106.
- S106 Monitoring costs payable prior to completion of the development.

APPENDIX B – Site photos







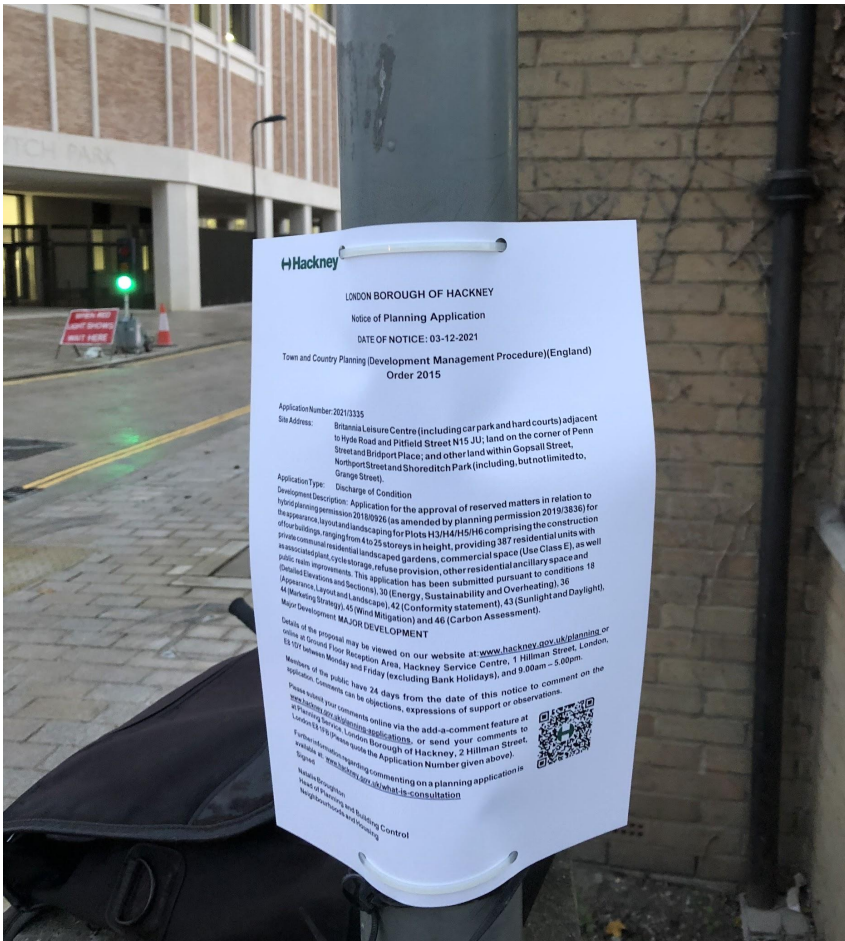
View south alongside Phase 1 school building (left):



Leisure Centre (left) and school (right):



Looking east along southern portion of site, towards Leisure Centre:



One of six site notices: